



COMMONS REGISTRATION ACT 1965

Reference No 215/U/16

In the Matter of Herrock Hill,
Lower Harpton, Leominster District,
Hereford and Worcester

DECISION

This reference relates to the question of the ownership of part of the land known as Herrock Hill, Lower Harpton, Leominster District and being the land comprised in the Land Section of Register Unit No CL. 123 in the Register of Common Land maintained by the Hereford and Worcester County Council. The said part ("the Referred Land") is the part of the said land of which no person is registered under section 4 of the Commons Registration Act 1965 as the owner.

Following upon the public notice of this reference Mr H J and Mrs I E Watkins claimed to be the freeholders of the land. No other person claimed to be the owners of the Referred Land or to have information as to its ownership.

I held a hearing for the purpose of inquiring into the question of the ownership of the land at Hereford on 7 February 1978. At the hearing, Mr Harold John Watkins and Mrs Irene Eleanor Watkins were represented by Mr J M Davies of T A Matthews & Co, Solicitors of Hereford.

The land ("the Unit Land") comprised in this Register Unit contains (according to the Register) about 157 acres. In the Ownership Section Mr & Mrs Watkins are registered as owners of the part of the Unit Land shown edged and coloured red on the plan therein referred to. The part so shown comprises all the Unit Land except a comparatively small strip on the east side; this strip is the Referred Land which is the subject of these proceedings. Mr Davies, after discussing the matter with Mr & Mrs Watkins, said that they did not claim the ownership of the Referred Land.

In the absence of any evidence I am not satisfied that any person is the owner of the Referred Land and it will therefore remain subject to protection under section 9 of the Act of 1965.

I am required by regulation 30(1) of the Commons Commissioners Regulations 1971 to explain that a person aggrieved by this decision as being erroneous in point of law may, within 6 weeks from the date on which notice of the decision is sent to him, require me to state a case for the decision of the High Court.

Dated this 16th day of February _____ 1978

a. a. Beck

Commons Commissioner