



COMMONS REGISTRATION ACT 1965

Reference No 215/U/4

In the Matter of King's Thorn Common,  
Much Dewchurch, South Herefordshire  
District, Hereford and Worcester

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### DECISION

This reference relates to the question of the ownership of part ("the unclaimed part" hereinafter defined) of the land known as King's Thorn Common, Much Dewchurch, South Herefordshire District being the land comprised in the Land Section of Register Unit No CL. 59 in the Register of Common Land maintained by the Hereford and Worcester County Council. The said land extends to about 10 acres, and is numbered 423 and 424 on the OS map (2nd edition 1904); it is in three pieces, (i) a U-shaped piece situated between the north-south road through King's Thorn and the A 49 Hereford to Ross-on-Wye road; (ii) a triangular piece situated between the fork of the junction of the A 49 road and the A 466 Hereford to Monmouth road; and (iii) an irregularly-shaped piece (the largest) on the west of the A 466 road. In the Rights Section there are 6 Entries of grazing rights attached to Manor Cottage, The Dairy, Hill Farm, Manor Farm, Glen View and "The Common, King's Thorn". In the Ownership Section Mr William Anthony Twiston-Davies was on 4 December 1969 registered as owner of nearly all the land. The unclaimed part means the comparatively small part of the said land which is situated at the southwest end of the U-shaped piece numbered (i) above, which at its west end abuts on the A 49 road, and of which neither Mr Twiston-Davies nor any other person is registered under section 4 of the Commons Registration Act 1965 as the owner.

Following upon the public notice of this reference, the County Council in a letter dated 9 July 1976 said that it was proposed to take two small parts of the land (one of which will be at the west end of the unclaimed part) for road improvement (the Secretary of State for the Environment had then prepared in draft the Hungerford-Hereford Trunk Road, Callow Hill, Improvement Compulsory Purchase Order). Further Vizard & Son, solicitors of Monmouth, in a letter dated 5 July 1977 said (in effect):- their client Mr W A Twiston-Davies did not claim the unclaimed part because the parcels of the conveyance to him of King's Thorn Common did not include it; he thinks that if it is indeed part of the Common, it probably belonged to the late Mr Henry Ambrose Clive, whose executors conveyed property to him, and particularly conveyed to him this Common and Saddlebow Hill (CL. 59) by a conveyance dated 11 August 1969. No person claimed to be the freehold owner of the unclaimed land and no other person claimed to have information as to its ownership.

I held a hearing for the purpose of inquiring into the question of the ownership of the unclaimed part at Hereford on 21 July 1977. There was no appearance at the hearing.



In the absence of any evidence I am not satisfied that any person is the owner of the unclaimed part, 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 28<sup>th</sup> day of July —

1977

*a. a. Bada Fuller*

Commons Commissioner