



COMMONS REGISTRATION ACT 1965

Reference No 15/U/106

In the Matter of land near
Caple Tump, King's Caple,
South Herefordshire District,
Hereford and Worcester

DECISION

This reference relates to the question of the ownership of ~~land known as~~ land near Caple Tump, King's Caple, South Herefordshire District, being the land comprised in the Land Section of Register Unit No CL. 239 in the Register of Common Land maintained by the Hereford and Worcester County Council 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 no person claimed to be the freehold owner of the land in question and no 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 land at Hereford on 20 July 1977. At the hearing King's Caple Parish Council were represented by Mrs D Webb their clerk.

Mrs Webb explained that the land in this Register Unit is a strip situated south and east of the Parish Church and on the north side of the road not far from the pieces which have been registered as common land (Register Unit No CL. 157), one of which is known as Caple Tump and is situated south of the Church and on the opposite side of the road, and the other of which is situate west of the Church and on the same side of the road. At a recent hearing (before Mr Commissioner Settle QC on 10 May 1977; reference 15/U/72), the Parish Council failed to establish ownership of the CL. 157 land, and accordingly they did not claim to be owner of the land (CL. 239) in question on this reference.

In the absence of any evidence in this case, and in accordance with the decision dated 1 July 1977 of Mr Commissioner Settle QC in the CL. 157 case, I am not satisfied that any person is the owner of the CL. 239 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 29th day of July —

1977

a. a. Baden Fuller
