



COMMONS REGISTRATION ACT 1965

Reference No. 15/U/42

In the Matter of Lower Grove Common,
Sellack, South Herefordshire D., Hereford and Worcester County

DECISION

This reference relates to the question of the ownership of land (three pieces) known as Lower Grove Common, (extending to almost 2 acres) Sellack, South Herefordshire District (formerly Ross and Whitchurch Rural District) being the land comprised in the Land Section of Register Unit No. CL.113 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 10 December 1974. At the hearing, Mr. H.S. Wood who resides at Tally Ho, a house on the south side of one of the said three pieces and on whose application a right attached to his house to graze 5 sheep and run poultry, is registered in the Rights Section, attended in person. There was no other attendance.

Mr. Wood said (in effect):- He had resided in his house for 12 years. He would like the Common kept for those of the Parish who had rights over it (five rights of grazing, including that of Mr. Wood, have been registered). He had been unable to prevent lorries parking on the Common. He could offer no evidence of ownership.

In the absence of any evidence I am not satisfied that any person is the owner of the 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 18th day of December 1974.

a. a Baden Fuller

Commons Commissioner