



COMMONS REGISTRATION ACT 1965

Reference No. 42/U/24

In the Matter of Parish Wharf
Cleeve Prior Wychavon D.

DECISION

This reference relates to the question of the ownership of land known as Parish Wharf Cleeve Prior Wychavon D. being the land comprised in the Land Section of Register Unit No. CL.8 in the Register of Common Land maintained by the former Worcestershire 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 Cleeve Prior Parish Council claimed to be the freehold owner of the land in question 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 land at Worcester on 28th January 1975.

Mr. Hooker of Messrs. New and Saunders solicitors appeared for the Cleeve Prior Parish Council. Mr. Herbert Donald Archer, Chairman of the Parish Council who has resided in the parish for upwards of 51 years gave evidence and produced the Cleeve Prior Enclosure Award dated 1776 and a minute book of 1895 from which it appeared that four trustees of the public wharf had ordered and paid for the placing of stones on the public wharf and had entered into an agreement with boat house owners. Since the establishment of the Parish Council it has been in receipt of the rents and profits of the wharf. Mr. Fred Potter gave evidence that he had attended a meeting with the adjoining owners and agreed the boundaries as set out in the plan produced by him and annexed to this decision

On this evidence I am satisfied that Cleeve Prior Parish Council is the owner of the land, and I shall accordingly direct the Hereford and Worcester County Council, as registration authority, to register Cleeve Prior Parish Council as the owner of the land as shown on the plan annexed to this decision under section 8 (2) 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 5th day of February

1975

C. A. Little

Commons Commissioner