



COMMONS REGISTRATION ACT 1965

Reference No 15/U/114

In the Matter of part of Breinton
Common, Breinton, South
Herefordshire District, Hereford
and Worcester

DECISION

This reference relates to the question of the ownership of land being land bordering on the River Wye and extending to about 0.650 of an acre, being part of that known as Breinton Common, Breinton, South Herefordshire District and being the land comprised in the Land Section of Register Unit No CL. 87 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. The hearing was attended by (1) Mr G Barnes representing Breinton Parish Council (he is one of their members), (2) Mrs K J Morgan (Rights Section Entry No 2 was made on her application), (3) Mrs H F Langford (Rights Section Entry No 6 was made on her application), (4) Mr P F O Saunders (Rights Section Entry No 12 was made on his application) and (5) Mr J G Grover.

Mr Barnes mentioned the minutes of the meetings of the Parish Council at which the registration of the Common under the 1965 Act had been discussed, but he did not offer any evidence of ownership. Mr Saunders said that he had been told by an old inhabitant that nobody owned the land.

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 27th day of July — 1977

a. a. Baden Fuller
