



COMMONS REGISTRATION ACT 1965

Reference No. 42/U/34

In the Matter of Pendock Moor in the Parish of
Pendock Malvern Hills D.,

DECISION

This reference relates to the question of the ownership of land known as Pendock Moor in the Parish of Pendock Malvern Hills D., being the land comprised in the Land Section of Register Unit No. CL.50 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 no person claimed to be the freehold owner of the land in question and no one 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 13 November 1974.

Mr Adams Chairman of the Pendock Parish Council appeared and stated that in 1927 a meeting of the commoners had appointed a Moors Court but that thereafter the members of the Moors Court had been appointed by the Parish Council. Mr Adams did not suggest that the Moors Court had any authority to manage the Moor other than that delegated to it by the Parish Council which had been in receipt of the rents and profits since 1939.

On this evidence I am satisfied that the Pendock Parish Council is the owner of the land, and I shall accordingly direct the Hereford and Worcester County Council, as registration authority, to register the Pendock Parish Council as the owner of the land 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 19th day of November 1974

C. A. Settle

Commons Commissioner