



COMMONS REGISTRATION ACT 1965

Reference No 215/U/1

In the Matter of Ploughfield Green,
Preston-on-Wye, Leominster District,
Hereford and Worcester

DECISION

This reference relates to the question of the ownership of part ("the South Piece" hereinafter defined) of the land known as Ploughfield Green, Preston-on-Wye, Leominster District being the land comprised in the Land Section of Register Unit No VG. 17 in the Register of Town or Village Greens maintained by the Hereford and Worcester County Council. The South Piece means that one of the four pieces together making up the land comprised in this Register Unit, which is the most southerly and of which no person is registered under section 4 of the Commons Registration Act 1965 as the owner of the South Piece.

Following upon the public notice of this reference no person claimed to be the freehold owner of the land in question and Mr E Arnold, who is the chairman of Preston-on-Wye Parish Meeting in a letter dated 11 July 1977 said (in effect) that the Parishioners in 1969 purchased the three other pieces of the land but that the South Piece which adjoins the drive to Huntley Court, was claimed by the owner Mr A Dale. 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 Hereford on 21 July 1977. The hearing was attended by (1) Mr T Evans who represented the WySide Group Council (he is one of their members as representing Preston-on-Wye), (2) Mr E Arnold above mentioned, and (3) Mr A S Wright who is honorary adviser to the Hereford Parish Councils Association.

Mr Arnold produced a conveyance dated 8 August 1969 by which the Church Commissioners for England conveyed the said three other pieces to the Representative Body of Preston-on-Wye, and confirmed what he had said in his July 1977 letter. No evidence of ownership of the South Piece was offered.

In the absence of any evidence I am not satisfied that any person is the owner of the South Piece and I shall accordingly direct the Hereford and Worcester County Council, as registration authority, to register Wyese Group Council as the owner of the South Piece (hereinbefore defined) under section 8(3) 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 26th day of July 1977

a. a. Austin Fuller

Commons Commissioner