



COMMONS REGISTRATION ACT 1965

Reference Nos 215/D/299  
215/D/300

In the Matter of Swan Bed, Hampton Bishop,  
South Herefordshire District, Hereford and  
Worcester

DECISION

These disputes relate to the registrations at Entry No 1 in the Land Section at Entry Nos 1, 2, 3 and 4 in the Rights Section of Register Unit No CL 99 in the Register of Common Land maintained by the Hereford and Worcester County Council and are occasioned by Objection No 383 made by Mr J G Layton and noted in the Register on 7 January 1971.

I held a hearing for the purpose of inquiring into the disputes at Hereford on 10 February 1981. At the hearing the Hampton Bishop Commoners on whose application the Land Section registration was made, were represented by Mr S L Beaumont solicitor of Beaumont Smith & Davies, Solicitors of Hereford; and (2) Mr Joseph Godwin Layton the said Objector was also represented by Mr Beaumont.

The land in this Register Unit is a tract on the south side of the River Lugg, extending to about  $1\frac{1}{2}$  acres. It is a short distance south of and a little distance from Hampton Meadow a tract (Register Unit No CL 98) extending to about 55 acres and finally registered as common land under the 1965 Act and from Big and Little Million a tract (Register Unit No CL 100) extending to about  $6\frac{3}{4}$  acres the propriety of which registration was the subject of a dispute at a hearing immediately after this one.

Mr Beaumont said (in effect):- Those concerned with this land have got together and because it is so small and so liable to flooding have agreed that they will not claim against Mr Layton who owns part of the adjoining land (the other part being owned by Mr J Bailey).

In these circumstances and in the absence of any evidence in support of the registrations in the Land and the Rights Section I conclude that none of the registrations with which I am concerned should have been made.

For these reasons I refuse to confirm the registrations.

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 26<sup>k</sup> — day of August — 1981

a. a. Baden Fuller

Commons Commissioner