



In the Matter of The Cross, Bretforton,
Hereford and Worcester.

DECISION

This reference relates to the question of the ownership of land known as The Cross, Bretforton, Hereford and Worcester, being the part of the land comprised in the Land Section of Register Unit No. VG 22 in the Register of Town or Village Greens 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 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 29 November 1977.

At the hearing the Bretforton Parish Council was represented by Mr W C Boulton, its Chairman, and for forty years until his retirement in 1972 its Clerk.

Mr Boulton was unable to produce any documentary evidence as to the ownership of the land in question, but it appears from his evidence and from the minutes of the Parish Council that the Parish Council has, to use a neutral expression, taken an interest in the land over many years. However, I am not satisfied on the evidence that the Council could properly be said to have been in adverse possession of the land for a sufficient period to have acquired a possessory title. It seems safer to say that I am not satisfied that any person is the owner of the land, and to direct the Hereford and Worcester County Council, as registration authority, to register the Parish Council as the owner of the land 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 20th day of December 1977.

Chief Commons Commissioner