



COMMONS REGISTRATION ACT 1965

Reference No. 42/U/32

In the Matter of The Green Hanley Swan in
the Parish of Hanley Castle Malvern Hills D.,

DECISION

This reference relates to the question of the ownership of land known as The Green Hanley Swan in the Parish of Hanley Castle Malvern Hills D., being the land comprised in the Land Section of Register Unit No. CL.48 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 Trewin the Clerk to the Hanley Castle Parish Council appeared and stated that the Parish had always maintained the land in question which originally formed part of the Foley Estate which no longer existed. He had been Clerk to the Parish Council for 12 years and lived in the area for 44 years and no other person had exercised any rights of ownership to his knowledge.

On this evidence I am satisfied that the Hanley Castle 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 Hanley Castle 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