



In the Matter of the piece of land known
as The Marlhole at Putney Lane, Romsley

DECISION

This dispute relates to the registration at Entry No. 1 in the Land Section of Register Unit No. CL 104 in the Register of Common Land maintained by the former Worcestershire County Council and is occasioned by Objection No. 23 made by Mrs A M Millington and noted in the Register on 2 February 1971.

I held a hearing for the purpose of inquiring into the dispute at Worcester on 17 February 1982. The hearing was attended by Mr G Limb (Clerk) appearing for Romsley Parish Council and Mr R N Williams, an Agricultural Valuer, appearing for Mr T Kelly who claimed a right of way over the register unit. A telephone message was received shortly before the commencement of the hearing that Mrs Millington, the objector, would not attend or be represented at the hearing in support of her objection.

The application was made by Bromsgrove Rural District Council. There are no entries in the Rights Section.

Mr Limb produced the Tithe Award for Romsley (1844) and accompanying map (1842) in which the register unit is plot no. 463 and is shown under 'Winwood Heath' and is described as 'Waste land and Pool'. No one is shown as owner or occupier.

The enclosure Award of 1859 dealt with the other plots under the title of Winwood Heath but made no award in respect of plot no. 463.

The pool was filled in by the Rural District Council.

No one else gave any evidence.

My conclusion is that the register unit is waste land of the Manor.

For these reasons I confirm the registration.

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

12th

day of

March

1982

George Herbert

Commons Commissioner