



COMMONS REGISTRATION ACT 1965

Reference No 15 /U/72

In the Matter of The Tump,  
Kings Caple, South Herefordshire D

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DECISION

This reference relates to the question of the ownership of land known as The Tump, Kings Caple, South Herefordshire D being the land comprised in the Land Section of Register Unit No CL. 157 in the Register of Common Land maintained by the former Herefordshire 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 Hereford on 10 May 1977.

Mr Barndon Jones vice chairman of the Kings Caple Parish Council appeared and he maintained and read extract from the Parish Minutes which showed, that the Parish Council had "husbanded" the land. Mr Barndon Jones however could not point to any activity which could be said to be possession adverse to that of the true owner and was content that the land should be subject to protection.

In the absence of any evidence I am not satisfied that any person is the owner of the land, and it will therefore remain subject to protection under section 9 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

1<sup>st</sup> day of July

1977

Commons Commissioner