



COMMONS REGISTRATION ACT 1965

Reference No.15/U/41

In the Matter of Upper Grove Common,
Sellack, South Herefordshire D., Hereford and Worcester County

DECISION

This reference relates to the question of the ownership of land known as Upper Grove Common, extending to about $2\frac{1}{2}$ acres, Sellack, South Herefordshire District (formerly Ross and Whitchurch Rural District) being the land comprised in the Land Section of Register Unit No. CL.114 in the Register of Common Land 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 person 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 December 1974. At the hearing, Mr.H.S. Wood who resides at Tally Ho, Lower Grove Common, Sellack, attended in person. There was no other attendance.

Mr. Wood said that from inquiries he had made from older people who had lived near the Common, he could say that grazing rights (3 rights are registered in the Rights Section) had been exercised for over 100 years. The Common is kept in good order by the people living around it. He could offer no evidence of ownership.

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 18th day of December 1974

a. a. Baden Fuller

Commons Commissioner