



COMMONS REGISTRATION ACT 1965

Reference No.21/U/51

In the Matter of Breedon Hill.
Breedon-on-the-Hill, Leicestershire.

DECISION

This reference relates to the question of the ownership of land known as Breedon Hill, Breedon-on-the-Hill, being the land comprised in the Land Section of Register Unit No.C.L.53 in the Register of Common Land maintained by the Leicestershire 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 Leicester on 11th October 1973.

At the hearing Mr. E.A. Crane, solicitor, appeared for Breedon and Cloud Hill Lime Works Ltd, and the Breedon-on-the-Hill Parish Council was represented by Mr. W.E. Smith, its Vice-Chairman.

Mr. Crane produced a conveyance made 24th February 1933 between (1) John Gillies Shields, and (2) Breedon and Cloud Hill Lime Works Ltd.

Mr. Smith did not produce any evidence to indicate that the Parish Council is the owner of the land in question, but he sought to contend that common land cannot be owned by anybody.

Mr. Smith's contention is obviously unsound, and in the absence of any evidence of a claim in conflict with that of Breedon and Cloud Hill Lime Works Ltd I am satisfied that that company is the owner of the land, and I shall accordingly direct the Leicestershire County Council, as registration authority, to register Breedon and Cloud Hill Lime Works Ltd 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 29th day of October 1973

Chief Commons Commissioner