



## COMMONS REGISTRATION ACT 1965

Reference Nos. 13/U/156  
213/U/28

In the Matter of (1) land off Nympsfield Road and (2) land at Wood Lane, Nailsworth, Stroud D., Gloucestershire

DECISION

These references relate to the question of the ownership of (1) land off Nympsfield Road containing about 0.27 of an acre and (2) land at Wood Lane containing about 0.2 of an acre, both in Nailsworth, Stroud District being the lands comprised in the Land Section of Register Unit (1) No. CL.275 and (2) No. CL.287 respectively, in the Register of Common Land maintained by the Gloucestershire 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 Gloucester on 15 May 1975. At the hearing Nailsworth Town Council were represented by Mr. F.H. Adams, solicitor, of A.E. Smith & Son, Solicitors of Nailsworth.

Mr. Adams said (in effect):- The Parish of Nailsworth is of recent origin, being composed of segments of the old Parishes of Avening, Minchinhampton and Horsley, which met at a point around which the settlement of Nailsworth grew up in the last quarter of the nineteenth century. The Nailsworth Urban District Council had under a conveyance acquired some common land vested in the Lord of the Manor of Horsley; however, the lands (CL.275 and CL.287) now in question were never within this Manor. In these circumstances, the Town Council could offer no evidence of ownership.

In the absence of any evidence I am not satisfied that any person is the owner of the lands; and they 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 21<sup>st</sup> — day of May — 1975

*A.A. Baden Fuller*

Commons Commissioner