



In the Matter of Barrow Waske, Nr Birdlip,
Badworth and Cowley

DECISION

This reference relates to the question of the ownership of land described above being the land comprised in the Land Section of Register Unit No. CL.274 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 the County Council claimed to be the freehold owner of the land in question ("the unit land") No other 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 Cheltenham on 13 November 1985. At the hearing the County Council was represented by Mr G D Limbrick, Solicitor, No other claimant appeared.

The unit land was comprised in a Conveyance dated 31 March 1980 by which it was conveyed to the County Council by Mr H M Sinclair. Three earlier documents of title dated respectively 1 December 1962, 2 May 1967 and 31 December 1967 show devolution of title to Mr Sinclair.

On the evidence I am satisfied that the County Council is the owner of the unit land, and I shall accordingly direct the County Council, as registration authority, to register itself as the owner of the unit 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

7 January

1986

H. J. Harris Smith

COMMONS COMMISSIONER