



In the Matter of Parish Quarry, Donnington,
Gloucestershire.

DECISION

This reference relates to the question of the ownership of land known as Parish Quarry, Donnington, being the land comprised in the Land Section of Register Unit No. CL 141 in the Register of Common Land maintained by the former 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 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 Gloucester on 10 February 1977.

The hearing was attended by Mrs F R Foster, the Clerk of the Donnington Parish Council.

The land the subject of the reference consists of a part of an area in a place called Stone Hill, which was set apart by the Inclosure Award made 18 October 1765 under the Donnington Inclosure Act of 1765 (5 Geo. III, c.6 (private)) for a stone quarry and to be used as such by the proprietors and occupiers of lands in Donnington and no others so that the stones to be mined therefrom be employed and used in the manor and hamlet of Donnington and be not sold or employed elsewhere.

In my view such an allotment did not divest the previous owner of his property in the land, but only made the land subject to the rights conferred on the proprietors and occupiers of lands in Donnington. There was no evidence before me as to the present successor in title of the previous owner.

On this evidence (or lack of it) 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

16th

day of

May

1977

Chief Commons Commissioner