



In the Matter of piece of land where  
Elmstone Herdwicke Lane joins the Stoke  
Orchard to Tredington Road, Stoke Orchard

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.330 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 Stoke Orchard Parish 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 Miss N N A Price, clerk to the parish council, appeared on its behalf. No other claimant was present.

By a conveyance dated 26 May 1977 the Ministry of Transport conveyed the unit land to the parish council for use under the Open Spaces Act.

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

17 December

1985

*L. J. Morris Smith*

COMMONS COMMISSIONER