



In the Matter of Breinton Common (Part),  
Stretton Sugwas and Breinton,  
Hereford and Worcester (No 2).

DECISION

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This dispute relates to the registration at Entry No 1 in the Land section of Register Unit No CL 131 in the Register of Common Land maintained by the Hereford and Worcester County Council and is occasioned by Objection No 3 made by Mr G Morgan-Jones and noted in the Register on 24 October 1969.

I held a hearing for the purpose of inquiring into the dispute at Hereford on 16 February 1978. The hearing was attended by Mr G G Barnes, a member of the Breinton Parish Council, and by Mr D M Halpern, solicitor, on behalf of the Objector.

The land comprised in the Register Unit consists of three areas being numbered 153 pt and 151 pt in the parish of Stretton Sugwas and 125 in the parish of Breinton on the 1/2500 Ordnance Survey Map (1929 Edition) and marked "A", "B", and "C" respectively on the Register Map. The Objection relates only to the area marked "A", but it was agreed that the area marked "B" formed part of a highway and was therefore excluded from the definition of "common land" in section 22(1) of the Commons Registration Act 1965. There being no evidence that the area marked "A" was waste land of a manor, it was sought to support the registration on the ground that it was subject to the rights of common registered at Entry Nos 1 to 13 (inclusive) in the Rights section of the Register Unit. For the reasons given in my decision in In the Matter of Breinton Common (part), Stretton Sugwas and Breinton (No 1) (1978), Ref. Nos 215/D/202-215. I am not satisfied that the area marked "A" is subject to rights of common.

For these reasons I confirm the registration with the following modifications:- namely the exclusion of the areas marked A and B on the Register Map.

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

25<sup>th</sup>

day of

April

1978

CHIEF COMMONS COMMISSIONER

MAP WAS REPLACED BY A  
FRESH EDITION ON 31<sup>ST</sup> JULY 1972

Provisional Register Map of 576  
(Common Land) (Scale 1:2500)  
(Sheet No. 179) (Scale 1:5000)  
Edition of 1972 (Sheet)

Register Unit No. CL131

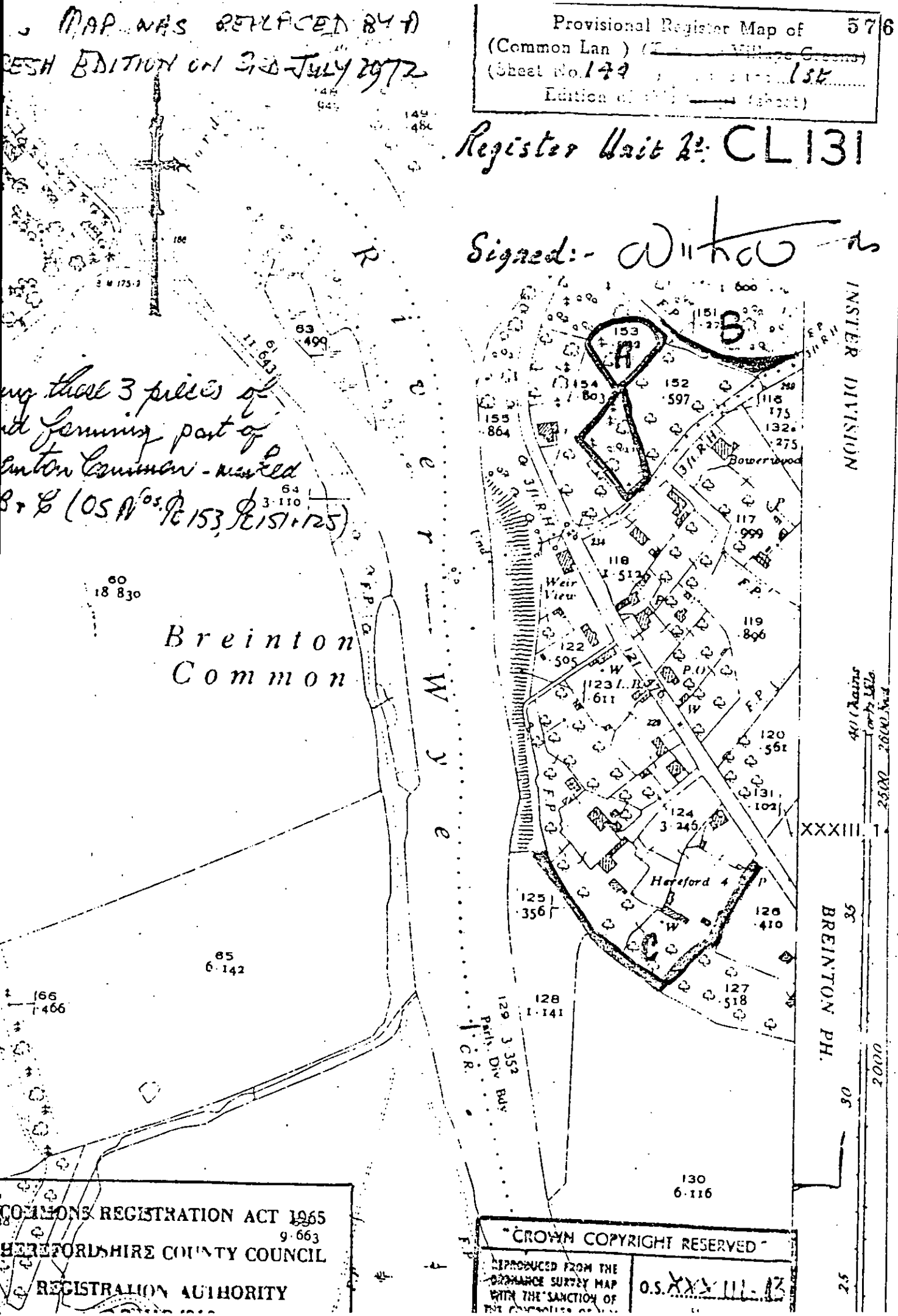
Signed: - Wilton

These 3 pieces of  
land forming part of  
Breinton Common - marked  
A, B & C (OS N<sup>o</sup>s. 153, 151 & 125)

Breinton  
Common

COMMONS REGISTRATION ACT 1965  
9-663  
HEREFORDSHIRE COUNTY COUNCIL  
REGISTRATION AUTHORITY

"CROWN COPYRIGHT RESERVED"  
REPRODUCED FROM THE  
ORDNANCE SURVEY MAP  
WITH THE SANCTION OF  
THE CONTROLLER  
O.S. XXXIII.13



INSITER DIVISION

XXXIII.1

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