



COMMONS REGISTRATION ACT 1965

Reference No 15/U/99

In the Matter of land adjoining
Wapley Common, Byton, Leominster District,
Hereford and Worcester

DECISION

This reference relates to the question of the ownership of land (across the public highway) adjoining Wapley Common and extending to about 2½ acres, Byton, Leominster District being the land comprised in the Land Section of Register Unit No CL. 222 in the Register of Common Land maintained by the Hereford and Worcester 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 Hereford on 19 July 1977. The hearing was attended by Mr W G Michels.

Mr Michels said that he and his wife claimed access over the land. He offered no evidence of ownership.

There is a note on the Land Section of the Register of the rights of access claimed by Mr and Mrs Michels. In these proceedings, I am not concerned with these rights. In the absence of any evidence 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 26th - day of July _____ 1977

C. A. Baden Fuller