



COMMONS REGISTRATION ACT 1965

Reference No. 215/U/30

In the Matter of Little Tenement, part
of Bury Grounds, Richards Castle, Leominster
District, Hereford and Worcester

DECISION

This reference relates to the question of the ownership of land known as Little Tenement, part of Bury Grounds, Richards Castle, Leominster District being the land comprised in the Land Section of Register Unit No. CL 119 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 Bilbury Farms Limited claimed (their solicitors letter of 19 March 1980) to be the owners of the land in question. No other person claimed to be the freehold owner of the land or 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 13 February 1981. At the hearing Bilbury Farms Limited were represented by Mr S W Upton, solicitor with Phillips & Co, Solicitors of Ludlow; and Mr David Alan Bayliss on whose application the registration at Rights Section Entry No. 22 was made, attended in person.

Mr Bayliss said that he did not claim to own the land.

Mr V E Tudge who is a director of Bilbury Farms Limited ("the Company") in the course of his evidence produced a conveyance dated 5 August 1971 by which Mrs E M Turner conveyed to the Company (among other lands) the land in this Register Unit. He said that the land is grass land and that the company grazes it.

On 28 and 29 January 1976 I held a hearing for the purpose of inquiring into disputes about this land, and about such disputes I gave a decision dated 2 July 1976 under reference Mcs 215/D/147-154. In the course of such hearing I learnt much about this land particularly that it had been in the reputed ownerships successively of Mrs E M Turner and the Company.

Having regard to what I learnt at the 1976 hearing, I consider I can give full effect to the somewhat brief evidence of Mr Tudge at the 1981 hearing as summarised above, and be satisfied that the Company is the owner of the land; I shall accordingly direct the Hereford and Worcester County Council, as registration authority, to register Bilbury Farms Limited of 41 Mill Street, Ludlow as the owner of the land under section 8(2) of the Act of 1965.



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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 *4th* —day of *March* —

1981

a. a. Baden Fuller

Commons Commissioner