



COMMONS REGISTRATION ACT 1965

Reference No 15/U/79

In the Matter of Pig Street Common,
Norton Canon, Leominster D

DECISION

This reference relates to the question of the ownership of land known as Pig Street Common, Norton Canon, Leominster D being the land comprised in the Land Section of Register Unit No CL. 173 in the Register of Common Land maintained by the former Herefordshire 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 James Price claimed to be the freehold owner of part of the land in question and no one claimed to have information as to the ownership of the remainder of the land.

I held a hearing for the purpose of inquiring into the question of the ownership of the land at Hereford on 10 May 1977.

Mr G R B Alsop of Messrs Williams Sons Pryce and Tweedy appeared for James Price and Mr D T Berry Clerk to the Kinnersley and District Group Parish Council also appeared.

Mr Alsop produced a conveyance dated 2 February 1924 whereby the land identified on the plan annexed thereto and described as part of OS No 243 was conveyed by Arthur J Price to William Price. The land identified as aforesaid is that part of the land in question (hereafter referred to as Mr Price's land) hatched red on the plan annexed to this decision. In 1957 William Price died and by his will proved on 2 April 1959 appointed James Price his sole executor who on 14 October 1959 assented to, inter alia, Mr Price's land vesting in himself.

On this evidence I am satisfied that James Price is the owner of Mr Price's land and I shall accordingly direct the Hereford and Worcester County Council as the registration authority to register James Price as the owner thereof under Section 8(2) of the Act of 1965. In the absence of any evidence I am not satisfied that any person is the owner of the remainder of the land in question 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 21st day of June 1977.

L. A. Little.

Commons Commissioner