



COMMONS REGISTRATION ACT 1965

Reference Nos. 42/U/57
42/U/86

In the Matter of Rock Common, Rock,
Wyre Forest District, Hereford & Worcester.

DECISION.

This reference relates to the question of the ownership of part of the land known as Rock Common (or Heightington Common), Rock, Wyre Forest District, being the land comprised in the Land Section of Register Unit No. CL.52 and No. CL.124 in the Register of Common Land maintained by the Hereford and Worcester County Council and of which part no person is registered under section 4 of the Commons Registration Act 1965 as the owner.

Following upon the public notice of this reference Mr. Alfred Stephen Hollis and Mrs. Elizabeth Hollis claimed to be the freehold owners of the part of the land in question and 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 Worcester on 3 July 1975. At the hearing Rock Parish Council were represented by Mr. G. Mason, their chairman (Mrs. B. Ray and Mrs. E. Woodyatt, Councillors, were present), and Mr. A.S. Hollis attended in person.

The land ("the CL.52 Land") being the part of Rock Common comprised in Register Unit No. CL.52 is divided into two pieces by a public motor road (known as Green Way) leading up to Rock Village on the north. Mrs. D.H. Moule is the registered owner of the piece east of this road, and Mr. D. Wilson is the registered owner of all the piece west of this road except a comparatively small triangular piece ("the CL.52 Referred Piece") which is the southeast part of the CL.52 Land west of the road, and with which I am on the reference (U/57) concerned.

The Land ("the CL.124 Land") being the part of Rock Common comprised in Register Unit No. CL.124 is U shaped, and at two places its boundary lies along the boundary of the CL.52 land (so there is an unregistered area surrounded by these lands). I am on the reference (U/86) concerned with the whole of the CL.124 Land, because no person has been registered as the owner of any of it.

Mr. Hollis in the course of his evidence produced: (1) an abstract dated 1953 of the title of Captain A.A. Astley-Jones to part of the Abberley Estate, (2) a supplemental abstract dated 1954 of the title of the same person to the same property, (3) a statutory declaration made 19 June 1954 by Mr. C. Walker who from 1906 to 1948 acted as Sub-Agent, and then Agent to Captain A.A. Astley-Jones, (4) a conveyance dated 26 October 1954 by Captain Astley-Jones to him (Mr. Hollis) of Rock Common containing about 8.908 acres, (5) a copy conveyance dated 31 December 1953 by him to Mrs. Moule of part of Rock Common, and (6) a copy conveyance dated 16 November 1960 by him to Mr. Wilson of another part of Rock Common.

