



COMMONS REGISTRATION ACT 1965

Reference No. 42/U/57

In the Matter of The Pound,
Broadwas, Martley R.D.,
Worcestershire

DECISION

This reference relates to the question of the ownership of land known as The Pound, Broadwas, Martley Rural District being the land comprised in the Land Section of Register Unit No. CL.86 in the Register of Common Land maintained by the Worcestershire 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 Worcester on 13 November 1973. At the hearing Broadwas Parish Council were represented by Mr. G. Turner, one of their members.

The land comprised in this Register Unit is a narrow triangular piece, surrounded by a stone wall. Mr. Turner who was born in 1910 and has lived in the Parish all his life cannot remember ever having seen it being used. The Parish Council could offer no evidence of ownership.

In the absence of any evidence I am not satisfied that any person is the owner of the land and it will therefore be 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 16th

day of November

1973.

a. a. Baden Fuller

Commons Commissioner