



COMMONS REGISTRATION ACT 1965

Reference No 215/D/327

In the Matter of the Public Landing
at the Ferrie Inn, Whitchurch,
South Herefordshire District,
Hereford and Worcester County

DECISION

This dispute relates to the registration at Entry No 1 in the Land Section of Register Unit No CL 199 in the Register of Common Land maintained by the Hereford and Worcester County Council and is occasioned by Objection No 389 made by G Ruddle & Co Ltd and noted in the Register on 15 October 1971.

I held a hearing for the purpose of inquiring into the dispute at Hereford on 11 February 1981. At the hearing Mr Francis Bernard Feltham and his wife Mrs Lesley Christine Feltham of Ye Olde Ferrie Inn attended in person.

The land in this Register Unit is a strip about 20 yards long by the west bank of the River Wye. The registration was made on the application of Whitchurch Parish Council. The grounds of the objection are that the strip belongs to the Objector. With their reference the County Council sent a copy of a letter dated 25 July 1973 from Mr W E Lee saying that he was then the owner of Old Ferry Inn.

Mr Feltham in the course of his evidence said (in effect):- In 1977 he and his wife bought the Inn. He understood that in 1943 because the River altered its course, a very large retaining wall was built to protect the ground; by reason of this wall it has ever since been impracticable for a boat to land on the strip. The now existing landing place opposite the Inn is their own property.

To explain his evidence Mr Feltham produced a coloured picture postcard showing the River, the Inn, the retaining wall and (next to it higher up the River) the existing landing place.

On this evidence and in the absence of any evidence supporting the registration, I refuse to confirm it.

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 1st — day of May — 1981

a. a. Baker *Feltham*

Commons Commissioner