



COMMONS REGISTRATION ACT 1965

Reference No 215/U/11

In the Matter of Uckinghall Meadow,
Ripple, Malvern Hills D

DECISION

This reference relates to the question of the ownership of land known as Uckinghall Meadow, Ripple, Malvern Hills D being the two parts of the land comprised in the Land Section of Register Unit No CL. 67 in the Register of Common Land maintained by the former 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 the Birmingham Anglers' Association claimed to be the freehold owners of one part of the land in question and no one claimed to have information as to the ownership of the other part.

I held a hearing for the purpose of inquiring into the question of the ownership of the land at Worcester on 15 June 1976.

Mr R F Miles of Messrs Bettinsons appeared on behalf of the Birmingham Anglers' Association and Mr R C Meadows appeared on behalf of Canon Keeble Thomas. Mr Miles produced a conveyance dated 3 September 1969, with plan attached identifying the land as comprising the land marked A on the plan annexed to this decision, by Edith Jane Caroline Glover to Stanley Smith and William Cogra who were then trustees for the Association and an abstract which showed that their title was derived from a conveyance dated 14 March 1907 to which the Ecclesiastical Commissioners were parties. Mr Meadows was satisfied, in the light of this abstract, that the Ecclesiastical Commissioners had given their consent to the alienation of the said part of the land in question and did not contest the title of the land in question. I was told that the present trustees for the Association are Messrs W J Davis and F A Jennings and on this evidence I am satisfied that they are the owners of the said land marked A on the said plan and shall accordingly direct the Hereford and Worcester County Council to register W J Davis and F A Jennings as the owners of the land marked A under section 8(2) of the Act of 1965.

In the absence of any evidence as to the land marked B on the said plan I am not satisfied that any person is the owner of the land, 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 July

1976

C. A. Little

Commons Commissioner