



COMMONS REGISTRATION ACT 1965

Reference No 15/U/77

In the Matter of Urdimarsh Common,  
Marden, South Hereford D

---

DECISION

This reference relates to the question of the ownership of land known as Urdimarsh Common, Marden, South Hereford D being the land comprised in the Land Section of Register Unit No CL. 168 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 Mr G D Thomas 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 in question.

I held a hearing for the purpose of inquiring into the question of the ownership of the land at Hereford on 11 May 1977.

Mr Hair of Messrs Beaumont Smith & Davies appeared for Mr G D Thomas and produced a conveyance dated 17 July 1968 made between E H Panniers and G D Thomas whereby all that part of the land in question lying to the west of the eastern boundary of OS 814 was conveyed to Mr Thomas. The conveyance to Mr Pannier and the earlier abstract of title were also produced.

On this evidence I am satisfied that Mr Thomas is the owner of the above mentioned land and I shall direct the Hereford and Worcester County Council as the registration authority to register Mr G D Thomas as the owner of that land under section 8(2) of the Act of 1965.

In the absence of any evidence as to the ownership of the small remaining strip of land running from east to west from the eastern boundary of OS 814 it will remain subject to protection under section 9 of the Act of 1965.

Mrs Lewis of the Marden Parish Council also appeared. I regret that I misinformed her that no part of the land was subject to protection but I was told at the hearing that the land which was once a bridle way is no longer a bridle way and I doubt whether there is any action the Parish Council can usefully take.

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 21<sup>st</sup> day of June

1977

J. A. Lettle

Commons Commissioner