



COMMONS REGISTRATION ACT 1965

Reference No. 42/U/75

In the Matter of Winnal Meadow Kempsey
Malvern Hills D.

DECISION

This reference relates to the question of the ownership of land known as Winnal Meadow, Kempsey, Malvern Hills D. being the land comprised in the Land Section of Register Unit No. CL.71 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 John Forester Aldersey, Constance Catherine Aldersey, Roland Henry James and Stanley Robert Edwards (hereinafter referred to as the purchasers) claimed to be the freehold owners 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 29th January 1975.

Mr. J. Haden of Messrs. Curtler and Hallmark, solicitors for the purchasers appeared and produced a conveyance dated 28th January 1971 whereby the land in question was conveyed by Co-operative Retail Services Limited to the purchasers.

On this evidence I am satisfied that the purchasers are the owners of the land, and I shall accordingly direct the Hereford and Worcester County Council, as registration authority, to register the purchasers as the owners of the land under section 8 (2) 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 5th day of February 1975

C. A. Settle

Commons Commissioner