COMMONS REGISTRATION ACT 1965

Reference No.42/U/1

In the Matter of Broad Green, Tardebigge,

Tutnall and Cobley, Worcestershire.

DECISION

This reference relates to the question of the ownership of land known as Broad Green, Tardebigge, Tutnall and Cobley, being the land comprised in the Land Section of Register Unit No.V.G.2 in the Register of Town or Village Greens 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 one 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 6th June 1973.

At the hearing Mr. I.W.A.Anthony, solicitor, appeared on behalf of Mr. H.R. Bird.

The land in question is an unenclosed triangle bounded by roads on all three sides and is unoccupied. Mr. Bird is the lord of the manor of Tardebigge, which he holds under a conveyance dated 1st December 1947. Since that date Mr. Bird has treated this land as part of the waste of the manor. In 1949 he successfully objected to its use by the County Council for the storage of road material and on 25th September 1967 he granted a wayleave for a water main across the land to the East Worcestershire Waterworks Company.

For these reasons I am satisfied that Mr. Bird is the owner of the land, and I shall accordingly direct the Worcestershire County Council, as registration authority, to register Mr. Bird as the owner 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 26th day of June 1973

Chief Commons Commissioner