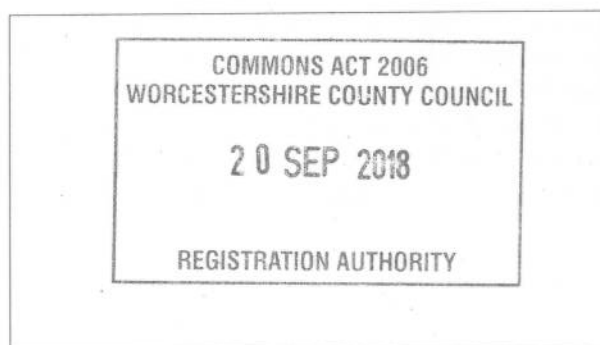


## COMMONS REGISTRATION ACT 1965, SECTION 13

**APPLICATION FOR THE REGISTRATION OF LAND WHICH  
BECAME COMMON LAND AFTER 2nd JANUARY 1970***This section for official use only*

Official stamp of registration authority indicating date of receipt



Application No: 273-2018-02

Register unit No(s): CL77

*IMPORTANT NOTE:--Before filling in this form, read carefully the notes at the end. An incorrectly completed application form may have to be rejected.*

To the Worcestershire County Council Commons Registration Authority

Application is hereby made for the registration as common land of the land described below, which became so registrable after 2nd January 1970.

**Part 1.** Name and address of the applicant or (if more than one) of every applicant.

Worcestershire County Council  
County Hall  
Spetchley Road  
Worcester  
WR5 2NP

*(Give Christian names or forenames and surnames or, in the case of a body corporate or unincorporate, the full title of the body. If part 2 is not completed all correspondence and notices will be sent to the first-named applicant.)*

**Part 2.** Name and address of solicitor, if any.

Fiona Morgan, Principal Conveyancer  
Legal and Democratic Services  
County Hall  
Spetchley Road  
Worcester  
WR5 2NP

[commonandvillagegreens@worcestershire.gov.uk](mailto:commonandvillagegreens@worcestershire.gov.uk)

*(This part should be completed only if a solicitor has been instructed for the purposes of the application. If it is completed, all correspondence and notices will be sent to the solicitor.)*

**Part 3.**

Particulars of the land to be registered, i.e. the land claimed to have become common land.

Two areas of land in the Parish of Powick in the District of Malvern Hills, with a total area of 64,809 square metres comprising of 63,809 square meters of pasture land on the west of Malvern Road (A449) north of Powick Village (parts OS 3100 and 8800) as registered at HM Land Registry as title number HW135811, and 1,000 square metres of pasture land on the south of the River Teme and west of Powick Weir (parts OS 8800) as registered at HM Land Registry as title number WR77785, and which may be seen on the plan attached to the application coloured, hatched, and edged green and labelled E and F.

Name by which usually known

Land at Powick Hams

Locality

Powick, Malvern Hills, Worcestershire

Colour on plan herewith

Coloured, hatched and edged green and labelled E and F on the application plan.

**Part 4.** On what date did the land become common land?

31 August 1995

**Part 5.** How did the land become common land?

The land became common land by virtue of compulsory purchase of land under the Acquisition of Land Act 1981, s.19 and paragraph 6 of schedule 3, the relevant instrument being the Hereford and Worcester County Council (Worcester Western Bypass) Compulsory Purchase Order, 1994; and the following notification of certification of such by the Secretary of State for the Environment dated 31 August 1995.

**Part 6.** Name and address of every person whom the applicant believes to be an owner, lessee, tenant or occupier of any part of the land claimed to have become common land. (If none are known, write "none".)

Sarah Margaret Hawkins and Henry Charles Murch, c/o MFG Solicitors LLP, 20-21 The Tything, Worcester, WR1 1HD

**Part 7.** Applications to register substituted land (see Note 5); to be disregarded in other cases.

Particulars of the "taken land", ie the land which ceased to be common land when the land described in part 3 became common land.

Four areas of common land in the Parish of Powick in the District of Malvern Hills, forming part of Powick Hams (CL77) with a total area of 52, 980 square metres, as registered at HM Land Registry as title number WR172606, and which may be seen on the plan attached to the application coloured, hatched, and edged violet and labelled A, B, C, and D.

Name by which usually known

Powick Hams

Locality

Powick, Malvern Hills, Worcestershire

Colour on plan herewith (if any)

Coloured, hatched, and edged violet and labelled A, B, C, and D on the application plan.

If registered under the 1965 Act, register unit No(s).

CL77

**Part 8.**

List of supporting documents sent herewith, if any. (If none are sent, write "none".)

Hereford and Worcester County Council (Worcester Western Bypass) Compulsory Purchase Order, 1994  
Hereford and Worcester County Council (Worcester Western Bypass) Compulsory Purchase Order 1995 Notice of Certification dated 31 August 1995  
Sheet 42B map  
Office Copies of the Register of Title for title numbers WR77785, HW135811 and WR172606.


**Part 9.**

If there are any other facts relating to the application which ought to be brought to the attention of the registration authority (in particular if any person interested in the land is believed to dispute the claim that it has become common land) full particulars should be given here.

n/a

Date: 20 September 2018

Signatures

  
Principal Solicitor, Legal and Democratic Services

*The application must be signed by or on behalf of each individual applicant, and by the secretary of some other duly authorised officer of any applicant which is a body corporate or unincorporate.*

COMMONS REGISTRATION ACT 1965, SECTION 13

APPLICATION FOR THE REGISTRATION OF LAND WHICH BECAME COMMON LAND AFTER 2nd JANUARY 1970

STATUTORY DECLARATION IN SUPPORT

WITH REGARD TO  
COMMONS REGISTRATION APPLICATION NUMBER 273-2018-02

*To be made by the applicant, or by one of the applicants, or by his or their solicitor, or, if the applicant is a body corporate or unincorporate, by its solicitor or by the person who signed the application.*

I, Tom Pollock, solemnly and sincerely declare as follows:--

1. I am the solicitor to the applicant.
2. I have read the Notes to the application form.
3. The facts set out in the application form are to be the best of my knowledge and belief fully and truly stated and I am not aware of any other fact which should be brought to the attention of the registration authority as likely to affect its decision on this application, nor of any document relating to the matter other than those (if any) mentioned in parts 8 and 9 of the application.
4. The plan now produced and shown to me marked "Sheet 42B" is the plan referred to in part 3 and part 7 of the application.

And I make this solemn declaration, conscientiously believing the same to be true, and by virtue of the Statutory Declarations Act 1835.

Declared by the said Tom Pollock at Worcestershire County Council, County Hall, Spetchley Road, Worcester, WR5 2NP on 20 September 2018.



Signature of Declarant

Before me,



Signature DEBORAH WILSON.

Address

WORCESTERSHIRE COUNTY COUNCIL  
COUNTY HALL  
SPETCHLEY ROAD  
WORCESTER, WR5 2NP

Qualification

SOLICITOR

**THE HIGHWAYS ACT, 1980**  
**AND**  
**THE ACQUISITION OF LAND ACT 1981**  
**COMPULSORY PURCHASE ORDER**

**THE HEREFORD AND WORCESTER COUNTY COUNCIL** hereby make the following Order:

1. Subject to the provisions of this Order, the said County Council are under Sections 239, 240, 246, 248 and 250 of the Highways Act 1980 hereby authorised to purchase compulsorily

(i) for the purpose of

- (1) the construction of a highway between the Worcester - Malvern Road (A449) and the Worcester - Leominster Road (A44)
- (2) the construction of highways to connect the above mentioned highway with the existing road system at Rushwick
- (3) the future improvement of the above mentioned highway
- (4) mitigating the adverse effect of the above mentioned highway on the surrounding land
- (5) the carrying out of works on watercourses in connection with the construction of the above mentioned highway
- (6) the construction of a highway between the Worcester - Leominster Road (A44) and the Worcester - Hereford Road (A4103)
- (7) the use by the said Council in connection with the construction of the above mentioned highways
- (8) the improvement of existing highways in the vicinity of the routes of the above mentioned highways
- (9) the construction of other highways and the provision of private means of access to premises in pursuance of the Hereford and Worcester County Council (Worcester Western Bypass Classified Roads) (Side Roads) Order, 1993

all in the Districts of Malvern Hills and Worcester in the County of Hereford and Worcester the land which is described in Schedule 1 hereto and is delineated and

shown coloured pink on the map hereinafter mentioned and the rights which are described in the said Schedule over the land which is described therein and which is delineated and shown coloured blue on the said map; and

(ii) for the purpose of giving in exchange for the land numbered 5, 7 and 10 in Schedule 1 the land which is described in Schedule 2 and is delineated and shown coloured green on the said map.

The map aforesaid is a map prepared in duplicate, sealed with the Common Seal of the said Council and marked 'Map referred to in the Hereford and Worcester County Council (Worcester Western Bypass) Compulsory Purchase Order, 1994'. One duplicate of the map is deposited in the offices of the said Council and the other is deposited in the offices of the Secretary of State for Transport.

2. Parts II and III of Schedule 2 to the Acquisition of Land Act 1981 are hereby incorporated with this Order subject to the modification that references in the said Parts II and III of the said Schedule to the undertaking shall be construed as references to land authorised to be purchased or (as the case may be) the land over which rights are authorised to be purchased and to any buildings or works constructed or to be constructed thereon

3. (1) In this paragraph 'the order land' means the land numbered 5, 7 and 10 in Schedule 1 hereto and 'the exchange land' means the land described in Schedule 2 hereto.

(2) As from the date on which this Order becomes operative or the date on which the order land, or any of it, is vested in the said Council (whichever is the later) the exchange land shall vest in the persons in whom the order land was vested immediately before it was vested in the said Council subject to the same rights, trusts and incidents as attached thereto; and the order land shall thereupon be discharged from all rights, trusts and incidents to which it was previously subject.

4. This Order may be cited as the Hereford and Worcester County Council (Worcester Western Bypass) Compulsory Purchase Order, 1994

SCHEDULE I

LAND TO BE PURCHASED

NOTE: In Column (2) of these Schedules the O.S. Nos. (Ordnance Survey Enclosure Numbers) are the numbers given on the 1:2500 Ordnance Survey Sheets which are denoted by the reference letters (A) to (I) inclusive after the numbers. The sheets denoted by the reference letters are shown in the Table at the end.

Number on Map (1)	Extent, description and situation of the land (2)	Owners or reputed owners (3)	Lessees or reputed lessees (4)	Occupiers (except licensees or tenants for a month or less) (5)
IN THE PARISH OF POWICK IN THE DISTRICT OF MALVERN HILLS				
1.	The right to construct and maintain a 10m span culvert/underpass and to cleanse, widen and deepen the watercourse in 10,330 square metres of land, being partly bed of watercourse, partly pasture land and part of public footpath FP16P, all on the south-east of Malvern Road (A449) south of the Vernon Arms (part of O.S.6567 known as Swine Leasow)(G).	Croome Estate Trust c/o Messrs. Gregory Rowcliffe and Milners, 1 Bedford Row, London, WC1R 4BZ.	Mr. T. R. Hawkins, Manor Farm, Powick, Worcs.	Lessee
1A.	The right to construct and maintain a 10m span culvert/underpass and to cleanse and deepen the pond in 570 square metres of land being the bed of the pond on the south-east of Malvern Road (A449) south of the Vernon Arms (O.S. 4885 (G))	Croome Estate Trust, c/o Messrs. Gregory, Rowcliffe and Milners, 1 Bedford Row, London WC1R 4BZ	Mr. T. R. Hawkins, Manor Farm, Powick, Worcs.	Lessee



Number on Map (1)      Extent, description and situation of the land (2)      Owners or reputed owners (3)      Lessees or reputed lessees (4)      Occupiers (except licensees or tenants for a month or less) (5)

Lessee

Mr. T. R. Hawkins  
Manor Farm,  
Powick,  
Worcs.

Croome Estate Trust,  
c/o Messrs. Gregory,  
Rowcliffe and Milners,  
1 Bedford Row,  
London  
WC1R 4BZ

The right to construct and maintain a 10m span culvert/underpass in 3150 square metres of pasture land on the south-east of Malvern Road (A449) south of Vernon Arms (part of O.S. 6485 known as Broad Meadow) (G)

2.

Owner

Mr. H. Redgman,  
Bideford,  
Malvern Road,  
Powick,  
Worcs.

~~2,650 square metres. Pasture land on the west of Malvern Road (A449) south of Temeside Garage and half width of Old Malvern Road (parts of O.S. 4405 4928 and 4609) (H)~~

3.

Owner, lessees and Mr. R. Berriman,  
The Flat,  
Temeside Garage,  
Malvern Road,  
Worcester.

Mr. I. Reid-Moore,  
Marston House,  
Main Street,  
Birdingbury,  
Rugby,  
CV33 8EL.

Mr. D.J. Evans,  
Refields,  
Bearswood Common  
Cradley,  
Malvern,  
Worcs., WR13 5NR.

1,390 square metres. Buildings and forecourt known as Temeside Garage, Malvern Road (A449), half-width of Old Malvern Road and half width of Malvern Road (A449)(O.S. 5014 part 4928 and part 5320 (H)

4.

Owners

Croome Estate Trust  
c/o Messrs. Gregory,  
Rowcliffe and Milners,  
1 Bedford Row,  
London WC1R 4BZ

13,600 square metres. Pasture land and part of public footpath FP6P on the west of Malvern Road (A449) south of the River Teme (O.S. 5232 known as Little Ham Sling) (H)

5.

+ Jill Saunders  
3 Pumpwell Cottages  
Edgloke Lane  
Astwood Park  
Redditch

By 16.10.2  
Mr. R. Kelly  
Mrs. M. Willis

10

Number on Map (1)	Extent, description and situation of the land (2)	Owners or reputed owners (3)	Lessees or reputed lessees (4)	Occupiers (except licensees or tenants for a month or less) (5)
5A.	660 square metres. Half-width of Malvern Road (A449) (Part of O.S. 5320) (H)	Croome Estate Trust, c/o Messrs. Gregory, Rowcliffe and Milners, 1 Bedford Row, London WC1R 4BZ	-	Owners
6.	3,970 square metres. Carriageway and verges, part of Old Malvern Road south of the River Teme (part of O.S. 4928) (H)	Croome Estate Trust c/o Messrs. Gregory, Rowcliffe and Milners, 1 Bedford Row, London WC1R 4BZ	-	Owners
7.	39,100 square metres. Pasture land, scrub land and parts of public footpaths FP4P and FP5P, all on the west of Old Malvern Road, south of the River Teme (O.S. 4841 and part 8800 known as Great Ham) (H).	Croome Estate Trust, c/o Messrs. Gregory, Rowcliffe and Milners, 1 Bedford Row, London WC1R 4BZ	Mr. T.R. Hawkins Manor Farm, Powick, Worcs.	Lessee
7A.	200 square metres. Pasture land on the west of Old Malvern Road south of the River Teme (part of O.S. 8800 known as Great Ham) (H).	Croome Estate Trust, c/o Messrs. Gregory, Rowcliffe and Milners, 1 Bedford Row, London WC1R 4BZ	Mr. T. R. Hawkins, Manor Farm, Powick, Worcs.	Lessee
8.	1,200 square metres. Part of the bed of the River Teme adjoining Powick Weir (part of O.S. 4740) (H).	Croome Estate Trust, c/o Messrs. Gregory, Rowcliffe and Milners, 1 Bedford Row, London WC1R 4BZ	-	Owners

Number on Map (1)	Extent, description and situation of the land (2)	Owners or reputed owners (3)	Lessees or reputed lessees (4)	Occupiers (except licensees or tenants for a month or less) (5)
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9.	85 square metres. Part of Powick Weir and part of the bed of the River Teme. (Part of O.S.4740) (H).	National Rivers Authority Severn Trent Region, Sapphire East 550 Streetsbrook Road, SOLIHULL B91 1QT	-	Owners
10.	80 square metres. Pasture land and half-bed of ditch on the south of the River Teme upstream of Powick Weir (Parts of O.S. 8800 and 9525 known as Great Ham) (H).	Croome Estate Trust c/o Messrs. Gregory, Rowcliffe and Milners, 1 Bedford Row, London WC1R 4BZ	Mr. T.R. Hawkins Manor Farm, Powick, Worcs	Lessee

**IN THE PARISH OF RUSHWICK IN THE DISTRICT OF MALVERN HILLS**

11.	320 square metres. Pasture land and half-bed of ditch on the south of the River Teme upstream of Powick Weir (Parts of O.S. 8628 and 9525) (D).	Worcester Golf and Country Club Limited, Boughton Park, Worcester.	-	Owners
12.	63,000 square metres. Pasture land, arable land, part of public footpath FP12R, half-bed of the River Teme and watercourse all on the north of the River Teme between Lower Wick Estate and Wick Episcopi (parts of O.S. 8149, 9166, 1959, 1178, 1500, 0700 and 0136) (D, E, H, I).	Worcester Golf and Country Club Limited, Boughton Park, Worcester	-	Owners
12A	600 square metres. Pasture land and field track north of Powick Mill stream and west of Laugherne Brook (parts of O.S.1959 and 9166) (H).	Worcester Golf and Country Club Limited, Boughton Park, Worcester	-	Owners

Number on Map (1)	Extent, description and situation of the land (2)	Owners or reputed owners (3)	Lessees or reputed lessees (4)	Occupiers (except licensees or tenants for a month or less) (5)
12B	460 square metres. Pasture land south of Fish Pond at Wick Episcopi (part of O.S. 9166) (D).	Worcester Golf and Country Club Limited, Boughton Park, Worcester	-	Owners
12C	The right to cleanse, widen and deepen the watercourse in 4,350 square metres of land being partly bed of watercourse and partly pasture land, all between Wick Episcopi Fish Pond and Laugherne Brook (parts of O.S. 9166, 1178 and 1959) (H).	Worcester Golf and Country Club Limited, Boughton Park, Worcester	-	Owners
13.	2,200 square metres. Pasture land north-east of Wick Episcopi (part of O.S.9123) (E, I),	Mr. R.J. Edmonds, Upper Wick Farm, Rushwick, Worcs.	-	Owner
14	All interests in 15,325 square metres. Arable land, agricultural buildings and track on the south of Bransford Road (A4103) (except interests owned by the acquiring authority) (parts of O.S. 6162 and 7162) (E)	Hereford and Worcester County Council, County Hall, Spetchley Road, Worcester WR5 2NP	Mr. M. Boulton, The Gardens, Bransford Road, Worcester	Lessee
15.	All interests in 4,700 square metres. Arable land, agricultural buildings and half bed of Laugherne Brook on the south of Bransford Road (A4103) (except interests owned by the acquiring authority) (parts of O.S. 6286 and 7492) (E)	Hereford and Worcester County Council, County Hall, Spetchley Road, Worcester WR5 2NP	Mr. M. Boulton, The Gardens, Bransford Road, Worcester	Lessee

Number on Map (1)	Extent, description and situation of the land (2)	Owners or reputed owners (3)	Lessees or reputed lessees (4)	Occupiers (except licensees or tenants for a month or less) (5)
16.	All interests in 25,550 square metres. Arable land, glasshouses and tracks south of Bransford Road (A4103) (except interests owned by the acquiring authority) (part of O.S. 6162) (E)	Hereford and Worcester County Council, County Hall, Spetchley Road, Worcester WR5 2NP	Mr. A. Haile, Hill View, Bransford Road, Worcester	Lessee
17.	385 square metres. Scrubland on the east of Upper Wick Lane (part of O.S.3171) (E)	Mr. N. Jenkins, 24 Shrubbery Avenue Worcester		Owner <i>Mr. &amp; Mrs. N. Jenkins 2 Summer Hollow Burslemore Cr. Hill Litchfield WR2 5TE</i>
18.	All interests in 470 square metres. Part of the garden of Bungalow No. 1 Upper Wick Lane (except interests owned by the acquiring authority)	Hereford and Worcester County Council, County Hall, Spetchley Road, Worcester WR5 2NP	Mrs. E. Allen, 1 Upper Wick Lane, Rushwick, Worcs. <i>Low 300</i>	Lessee
19.	310 square metres. Grass land adjoining the junction of Upper Wick Lane with Bransford Road (A4103)	Rushwick Parish Council, Applegarth, Bransford Road, Rushwick, Worcs. WR2 5TA		Owner

**IN THE CITY OF WORCESTER**

20.	750 square metres. Part of the garden of Laugherne House, Bransford Road and half width of Bransford Road (A4103)	Mr. H. Hill & Mrs. A. Hill, Laugherne House, Bransford Road, Rushwick, Worcs.		Owners
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Number on  
Map  
(1)

Extent, description and situation of the  
land  
(2)

Owners or reputed  
owners  
(3)

Lessees or reputed lessees  
(4)

Occupiers (except licensees or  
tenants for a month or less)  
(5)

Owner

Owner

Owner

Owners

21. 600 square metres. Part of side slopes of railway cutting north-east of Rushwick railway bridge

British Railways Board,  
Rail House,  
Euston Square,  
LONDON NW1

21A The right to construct and maintain a bridge to carry the new highway over 265 square metres of the Worcester - Malvern Railway north-east of Rushwick railway bridge

British Railways Board,  
Rail House,  
Euston Square,  
LONDON NW1

21B The right to cleanse and construct inlet to brick culvert 46m long beneath the Worcester - Malvern Railway at the rear of Newland Crescent

British Railways Board  
Rail House,  
Euston Square,  
LONDON NW1

IN THE CITY OF WORCESTER AND IN THE PARISH OF RUSHWICK IN THE DISTRICT OF MALVERN HILLS

22. 16,600 square metres. Pasture land north of the Worcester - Malvern Railway east of Claphill Lane (parts of O.S. 0002, 2900 and 2381) (E, F)

Mr. A. D. Hale & Mrs.  
V. A. Hale,  
25 Redfern Avenue,  
WORCESTER

Mr. M. B. Cronin and  
Mrs B. M. Cronin,  
50 Silverdale Avenue,  
WORCESTER

Number on Map (1)

Extent, description and situation of the land (2)

Owners or reputed owners (3)

Lessees or reputed lessees (4)

Occupiers (except licensees or tenants for a month or less) (5)

IN THE CITY OF WORCESTER

22A

The right to lay and maintain a 450mm diameter surface water pipe 240m long with chambers in 4,800 square metres of pasture land on the north of the Worcester - Malvern Railway (parts of O.S. 2900 and 4200) (E)

Owners

Mr. A. D. Hale & Mrs. V. A. Hale,  
25 Redfern Avenue,  
WORCESTER

Mr. M. B. Cronin and Mrs. B. M. Cronin,  
50 Silverdale Avenue,  
WORCESTER

23.

The right to lay and maintain a 450mm diameter surface water pipe 25m long with chambers in 530 square metres of scrub land north of the Worcester - Malvern Railway at the rear of properties in Meadow View

Owner

McLean Homes Midland Limited,  
Crestwood House,  
Birches Rise,  
Willenhall,  
West Midlands  
WV13 2DD

24.

The right to cleanse, widen and deepen the water course in 925 square metres of land being partly bed of water course and partly grass land at the rear of Newland Crescent (part of O.S. 6405) (E, F)

Owners

Mrs. A. M. Johnson and Miss C. Roper-Lewis both of Elm House, Newland, MALVERN, Worcs.

*Miss Johnson  
decd - Mrs  
I only found  
of family!  
Now owned by  
Eton of Miss  
C Lewis*

24A

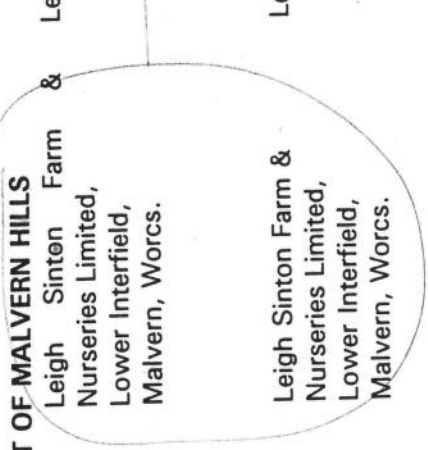
The right of vehicular access for the purpose of the cleansing, widening and deepening of the water course over 475 square metres of grass land and track at the rear of Newland Crescent (parts of O.S. 7002 and 6405) (E, F)

Owners

Mrs. A. M. Johnson and Miss C. Roper-Lewis both of Elm House, Newland, MALVERN, Worcs.

Number on Map (1)      Extent, description and situation of the land (2)      Owners or reputed owners (3)      Lessees or reputed lessees (4)      Occupiers (except licensees or tenants for a month or less) (5)

*Interest terminated prior to date of entry - see Deed of 5.1.99 in 252/191*



**IN THE CITY OF WORCESTER AND IN THE PARISH OF RUSHWICK IN THE DISTRICT OF MALVERN HILLS**

25      13,000 square metres. Fishing pond, grassland, woodland and track east of Claphill Lane (parts of O.S. 0011, 0018, and 2307) (F)      Mr. E. J. Humphreys, Lintridge, Berrow Green, Martley, Worcs.      Leigh Sinton Farm & Nurseries Limited, Lower Interfield, Malvern, Worcs.      Lessee

**IN THE PARISH OF RUSHWICK IN THE DISTRICT OF MALVERN HILLS**

25A      200 square metres. Woodland on the east of Claphill Lane and half width of Claphill Lane (part of O.S. 8721 and 7240 (C))      Mr. E. J. Humphreys, Lintridge, Berrow Green, Martley, Worcs.      Leigh Sinton Farm & Nurseries Limited, Lower Interfield, Malvern, Worcs.      Lessee

**Owners**

26.      45,330 square metres. Arable land, part of public footpath FP 7R and tracks east of Claphill Lane and south of Bromyard Road (A44) and half width of Claphill Lane (parts of O.S. 0032, 8046, 0048, and 7240) (C,F)      Mr. C. F. Stratton, Spring Gardens, Kempsey, Worcs.      Mr. M. Stratton, Oak Farm, Kempsey, Worcs.      Owners

27.      3,700 square metres. Woodland on the south of Bromyard Road (A44) west of the Worcester City boundary (part of O.S. 0059) (C,F)      Mr. W. J. D. Beard, Leigh Sinton Farm, Malvern, Worcs.      Leigh Sinton Farm & Nurseries Limited, Lower Interfield, Malvern, Worcs.      Lessee



Number on Map (1)	Extent, description and situation of the land (2)	Owners or reputed owners (3)	Lessees or reputed lessees (4)	Occupiers (except licensees or tenants for a month or less) (5)
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**IN THE CITY OF WORCESTER**

27A	The right to lay and maintain a 450mm diameter surface water pipe 20m long with chambers in 370 square metres of grass land and track on the north of the Worcester - Malvern Railway (part of O.S. 4200) (F)	Mr. W. J. D. Beard, Leigh Sinton Farm, Malvern, Worcs.	Leigh Sinton Farm & Nurseries Limited, Lower Interfield, Malvern, Worcs.	Lessee
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**IN THE PARISH OF RUSHWICK IN THE DISTRICT OF MALVERN HILLS**

28.	13,400 square metres. Pasture land, part cattle yard on the west of Claphill Lane and half width of Claphill Lane (parts of O.S. 5541, 6800 and 7240) (C)	Mr. E. Potterton, Rathcormick, Ballivor, Co. Meath, Eire	-	Owner
29.	4,350 square metres. Woodland and Fishing pond west of Claphill Lane (parts of O.S. 5100 and 4818) (C)	Miss K. Potterton, Rathcormick, Ballivor, Co. Meath, Eire	Mr. A. J. Ryan, 105 Newtown Road, Worcester	Owner and Lessee
29A.	The right to lay and maintain a 225mm diameter drainage pipe 80 metres long with chambers and headwall in 900 square metres of woodland and fishing pond west of Claphill Lane (parts of O.S. 5100 and 4818) (C)	Miss K. Potterton, Rathcormick, Ballivor, Co. Meath, Eire	Mr. A. J. Ryan, 105 Newtown Road, Worcester	Owner and Lessee
30.	1,260 square metres. Woodland south of the boating pond at Aymestry School (part of O.S. 5100)(C)	Mr. D. H. Griffith and Mrs G.S. Griffith Aymestry School, Crown East, Worcester	-	Owners

Number on Map (1)	Extent, description and situation of the land (2)	Owners or reputed owners (3)	Lessees or reputed lessees (4)	Occupiers (except licensees or tenants for a month or less) (5)
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31.	12,500 square metres. Pasture land south of Aymestry School (part of O.S. 3100) (B, C)	Mrs. M. Potterton, Rathcormick, Ballivor, Co. Meath, Eire		Owner
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32.	2,500 square metres. Scrub land north-west of Broadmore Green (part of O.S. 2784) (B)	Mr. A.E.P. Sharp and Mrs. S. Sharp, The Orchards, Broadmore Green, Rushwick, Worcs.		Owners
-----	---	---	--	--------

		Mr. R.J. Hume and Mrs A.C.E. Hume, 9 Newland Crescent, Rushwick, Worcs.		
--	--	---	--	--

**IN THE PARISHES OF RUSHWICK AND COTHERIDGE IN THE DISTRICT OF MALVERN HILLS**

33.	18,500 square metres. Orchard land, grassland tracks and part of public bridleway BW6C on the north of the Worcester - Hereford Road (A4103) east of Otherton Lane (parts of O.S. 2270, 1177 and 9362) (A, B)	Mr. G. E. Holloway, Manor Farm, Rushwick, Worcs.		Owner
-----	---	--	--	-------

Number on Map (1)	Extent, description and situation of the land (2)	Owners or owners (3)	reputed (4)	Lessees or reputed lessees (4)	Occupiers (except licensees or tenants for a month or less) (5)
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**IN THE PARISH OF RUSHWICK IN THE DISTRICT OF MALVERN HILLS**

- |     |  |  |  |  |       |
|-----|--|--|--|--|-------|
| 34. | The right to lay and maintain a 300mm diameter surface water pipe 120m long with chambers in 3,100 square metres of pasture land on the south of the Worcester - Hereford Road (A4103) west of Otherton Lane (part of O.S.9624)(A) | Mr. P. Foster,<br>11 Upper Park Street,<br>Worcester                 |  |  | Owner |
| 35. | The right to construct and maintain a 300mm diameter surface water outfall in 460 square metres of pasture land and water course on the south of the Worcester - Hereford Road (A4103) (part of O.S. 7131) (A)                     | Mr. S. J. Tutchings,<br>Prime Cut Farms,<br>Crown East,<br>Worcester |  |  | Owner |

This Order includes land falling within special categories to which Section 17(2), 18 or 19 of the Acquisition of Land Act 1981 applies, namely:

No. on Map.                      Special Category

5, 7, 7A & 10                      Section 19

**SCHEDULE 2**

**THE EXCHANGE LAND**

<u>No. on Map</u> (1)	<u>Extent, description and situation of the land</u> (2)	<u>In exchange for -</u> (3)
<b>IN THE PARISH OF POWICK IN THE DISTRICT OF MALVERN HILLS</b>		
36.	63,809 square metres. Pasture land on the west of Malvern Road (A449) north of Powick Village (Parts of O.S.3100 and 8800) (G, H, D).	The order land.
37.	1,000 square metres. Pasture land on the south of the River Teme and west of Powick Weir (part of O.S. 8800) (H).	The order land.

**TABLE OF ORDNANCE SURVEY SHEETS**

<u>Reference Letter</u>	<u>Ordnance Survey Sheets</u>
A.	SO 8053 (1972 Edition)
B.	SO 8153 (1972 Edition)
C.	SO 8154 (1972 Edition)
D.	SO 8252 (1973 Edition)
E.	SO 8253 (1962 Edition)
F.	SO 8254 (1963 Edition)
G.	SO 8351 (1971 Edition)
H.	SO 8352 (1973 Edition)
I.	SO 8353 (1962 Edition)

GIVEN under the Common Seal  
of THE HEREFORD AND WORCESTER  
COUNTY COUNCIL this 3rd  
day of March 1994



*Judith Evans*

CHIEF ASSISTANT COUNTY SOLICITOR

HEREFORD AND WORCESTER COUNTY COUNCIL  
(WORCESTER WESTERN BYPASS)  
COMPULSORY PURCHASE ORDER, 1994

The Secretary of State for Transport hereby confirms the foregoing Order as modified by him.

*J Darlington*

Signed by Authority  
of the Secretary of State

*14th August* 1995

J DARLINGTON  
Director Planning, Environment  
and Transport  
Government Office for the North East



**HEREFORD AND WORCESTER COUNTY COUNCIL (WORCESTER WESTERN BYPASS) COMPULSORY PURCHASE ORDER 1995**

**THE ACQUISITION OF LAND ACT 1981**

1. The Hereford and Worcester County Council (Worcester Western Bypass) Compulsory Purchase Order 1994, which was confirmed with modifications by the Secretary of State for Transport on the fourteenth day of August 1995, includes the land described in Schedules 1 and 2 hereto and the new rights described in Schedule 3 hereto.
2. The land described in Schedules 1 and 2 and the land described in Schedule 3 over which the new rights are to be acquired form part of a Common.
3. Notice is hereby given that the Secretary of State for the Environment, in exercise of his powers under Section 19 (1) (a) and 19 (1) (b) of, and paragraph 6 of Schedule 3 to, the above mentioned Act, has certified that he is satisfied:
  - (a) that there will be given in exchange for the land described in Schedule 1 hereto, being part of a Common within the meaning of the said Act, the land described in Schedule 4 hereto, which is not less in area and is equally advantageous to the persons, if any, entitled to rights of common or other rights, and to the public, and that the land to be given in exchange will be vested in the persons in whom the said Common is vested, and subject to the like rights, trusts and incidents as attach to the said Common.
  - (b) that the land described in Schedule 2 hereto, forming part of a Common within the meaning of the said Act, does not exceed 250 square yards in extent, and that the giving in exchange of other land is unnecessary, whether in the interests of the persons, if any, entitled to rights of common or other rights, or in the interests of the public.
  - (c) that the land described in Schedule 3 hereto, being parts of a Common within the meaning of the said Act, when burdened with the rights described in Schedule 3, will be no less advantageous to those persons in whom it is vested and other persons, if any, entitled to rights of common or other rights, and to the public, than it was before.
4. A map showing the land to which the Certificate relates and the land proposed to be given in exchange may be inspected at Powick Post Office and Stores, 17 The Village, Powick and at County Hall, Spetchley Road, Worcester at all reasonable hours.
5. The Certificate becomes operative on the date on which this Notice is first published; but a person aggrieved by the Certificate may, by application to the High Court within six weeks from that date, question its validity on the ground that there has been a failure to comply with any relevant statutory requirement relating to the Certificate.



## SCHEDULE 1

Three areas of common land in the Parish of Powick in the District of Malvern Hills, forming part of Powick Hams (CL77), with a total area of 52,780 square metres, shown coloured pink on the map referred to in the above mentioned Compulsory Purchase Order and comprising:-

- (a) 13,600 sq. m pasture land and part of public footpath FP6P on the west of Malvern Road, (A449) south of the River Teme (OS 5232 known as Little Ham Sling) and numbered plot 5;
- (b) 39,100 sq. m pasture land, scrub land and parts of public footpaths FP4P and FP5P, all on the west of Old Malvern Road, south of the River Teme (OS4841 and part 8800 known as Great Ham) and numbered plot 7;
- (c) 80 sq. m pasture land and half-bed of ditch on the south of the River Teme upstream of Powick Weir (parts of OS 8800 and 9525 known as Great Ham) and numbered plot 10.

## SCHEDULE 2

200 sq. m of common land forming part of Powick Hams (CL77), in the Parish of Powick in the District of Malvern Hills, shown coloured pink on the map referred to in the above mentioned Compulsory Purchase Order and numbered plot 7A.

## SCHEDULE 3

Rights to be acquired on two areas of common land forming part of Powick Hams (CL77) in the Parish of Powick in the District of Malvern Hills and shown coloured blue on the map referred to in the above mentioned Compulsory Purchase Order, and comprising:-

- (a) the right to construct and maintain a 10m span culvert/underpass and to cleanse, widen and deepen the watercourse in 10,330 sq. m of land, being partly bed of watercourse, partly pasture land and part of public footpath FP16P, all on the south-east of Malvern Road (A449) south of the Vernon Arms (part of OS 6567 known as Swine Leasow) and numbered plot 1;
- (b) the right to construct and maintain a 10m span culvert/underpass in 3,150sq. m of pasture land on the south-east of Malvern Road (A449) south of Vernon Arms (part of OS 6485 known as Broad Meadow) and numbered plot 2.

#### SCHEDULE 4

Two areas of land in the Parish of Powick in the District of Malvern Hills, with a total area of 64,809 sq. m, to be given in exchange for the common land described in the Schedule 1 and shown coloured green on the map referred to in the above mentioned Compulsory Purchase Order and comprising:-

- (a) 63,809 sq. m pasture land on the west of Malvern Road (A449) north of Powick Village (parts of OS 3100 and 8800) and numbered plot 36;
- (b) 1,000 sq. m pasture land on the south of the River Teme and west of Powick Weir (parts of OS 8800) and numbered plot 37.

Dated the 31st day of August 1995

Signed ..... *R. K. Yates* .....

Director of Administrative and Legal Services  
County Hall,  
Worcester.

The electronic official copy of the register follows this message.

Please note that this is the only official copy we will issue. We will not issue a paper official copy.



# Official copy of register of title

Title number HW135811

Edition date 27.04.2017

This official copy shows the entries on the register of title on 21 AUG 2018 at 14:25:38.

This date must be quoted as the "search from date" in any official search application based on this copy.

The date at the beginning of an entry is the date on which the entry was made in the register.

Issued on 21 Aug 2018.

Under s.67 of the Land Registration Act 2002, this copy is admissible in evidence to the same extent as the original.

This title is dealt with by HM Land Registry, Coventry Office.

## A: Property Register

This register describes the land and estate comprised in the title.

WORCESTERSHIRE : MALVERN HILLS

- 1 (21.12.1993) The Freehold land shown edged with red on the plan of the above Title filed at the Registry and being land lying to the west of Malvern Road, Powick.
- 2 (22.08.2003) The points B, C, D, E, F and G shown on the filed plan are no longer of any significance and should be ignored since the entries in the register which gave rise to the references have been cancelled.

## B: Proprietorship Register

This register specifies the class of title and identifies the owner. It contains any entries that affect the right of disposal.

### Title absolute

- 1 (27.04.2017) PROPRIETOR: SARAH MARGARET HAWKINS of The Farm, Bosbury, Ledbury HR8 1NW and care of MFG Solicitors LLP (Reference: Iain Morrison), 20-21 The Tything, Worcester WR1 1HD and HENRY CHARLES MURCH of Osberton Grange, Osberton, Worksop S81 0UF and care of MFG Solicitors LLP (Reference: Iain Morrison), 20-21 The Tything, Worcester WR1 1HD.
- 2 (22.08.2003) A Transfer dated 13 June 2003 referred to in the Charges Register contains Vendors and Purchasers personal covenants.  
  
The transfer to the present proprietor contains a covenant to observe and perform the aforesaid covenants and of indemnity in respect thereof.
- 3 (27.04.2017) A Transfer to a former proprietor contains a covenant to observe and perform the covenants referred to in the Charges Register and of indemnity in respect thereof.
- 4 (27.04.2017) RESTRICTION: No disposition by a sole proprietor of the registered estate (except a trust corporation) under which capital money arises is to be registered unless authorised by an order of the court.

## C: Charges Register

This register contains any charges and other matters that affect the land.

- 1 (21.12.1993) The land is subject to the following rights reserved by a Conveyance and Deed of Exchange of the land in this title and other land dated 25 May 1976 made between (1) Edward Hugh Lee Rowcliffe and others and (2) Severn-Trent Water Authority:-

"Except and Reserving unto the first party for themselves and their tenants servants and agents full and free rights of way at all times and for all purposes with or without vehicles across the Western end of Ordnance Survey Numbers 728 and 729 and part 731 over a strip of 30 yards wide and coloured dark brown on plan Numbered 1"

NOTE: The land coloured dark brown referred to above is tinted blue on the filed plan as far as it affects the land in this title.

- 2 (15.12.1995) The land is subject to the rights granted by a Deed dated 15 June 1995 made between (1) Hereford and Worcester County Council (the Grantor) and (2) Severn Trent Water Limited (the Undertaker).

The said Deed also contains restrictive covenants by the grantor.

-NOTE: Copy filed.

- 3 (22.08.2003) The land is subject to the rights granted and reserved by a Transfer of the land in this title and other land dated 13 June 2003 made between (1) Worcestershire County Council and (2) Thomas R. Hawkins (Farms) Limited.

-NOTE: Original filed.

- 4 (08.01.2004) The land in this title together with other land is subject to the rights granted by a Deed of Grant dated 22 December 2003 made between (1) Thomas R. Hawkins (Farms) Limited and (2) Severn Trent Water Limited.

The said Deed also contains restrictive covenants by the grantor.

-NOTE: Copy filed.

End of register

**These are the notes referred to on the following official copy**

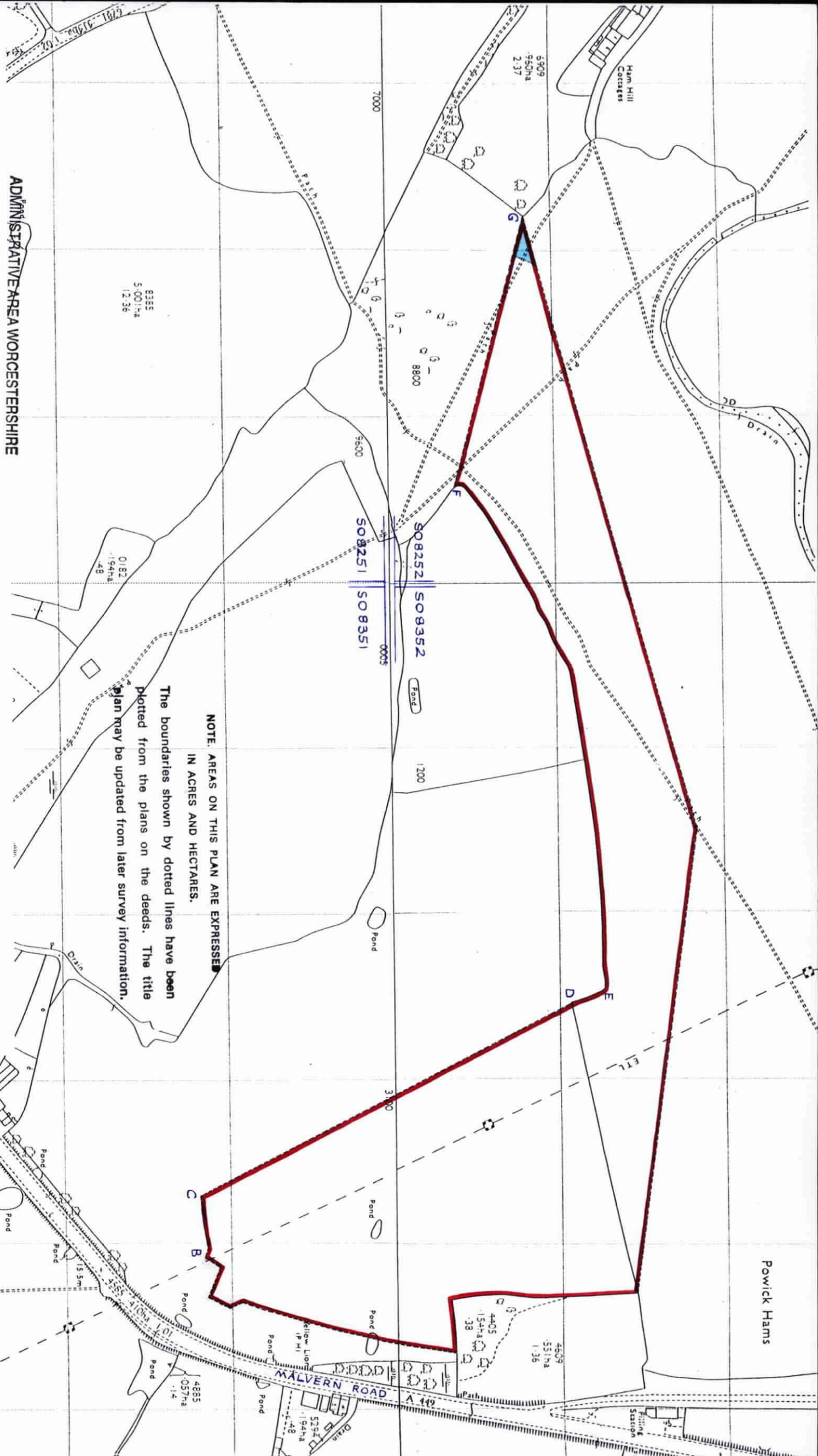
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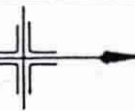
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ADMINISTRATIVE AREA WORCESTERSHIRE

<h1>H.M. LAND REGISTRY</h1>	<h1>TITLE NUMBER</h1>
<h1>HW 135811</h1>	

ORDINANCE SURVEY PLAN REFERENCE COUNTY HEREFORD AND WORCESTER DISTRICT MALVERN HILLS	SO 8252 SO 8352 SO 8251 SO 8351 Scale 1:2500 © Crown Copyright
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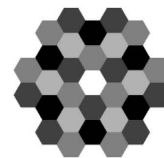






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# Official copy of register of title

Title number WR77785

Edition date 27.04.2017

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The date at the beginning of an entry is the date on which the entry was made in the register.

Issued on 21 Aug 2018.

Under s.67 of the Land Registration Act 2002, this copy is admissible in evidence to the same extent as the original.

This title is dealt with by HM Land Registry, Coventry Office.

## A: Property Register

This register describes the land and estate comprised in the title.

WORCESTERSHIRE : MALVERN HILLS

- 1 (04.08.1993) The Freehold land shown edged with red on the plan of the above Title filed at the Registry and being Land on the South West side of Hams Way, Powick, Worcester.
- 2 (20.06.2003) A Transfer of the land in this title and other land dated 13 June 2003 made between (1) Worcester County Council (Transferor) and (2) Thomas R. Hawkins (Farms) Limited contains the following provision:-

"It is agreed and declared that by virtue of paragraph 3 of the Hereford and Worcester County Council (Worcester Western Bypass) Compulsory Purchase Order 1994 as confirmed with modifications by the Secretary of State for Transport on the 14 August 1995 the common and other rights trusts and incidents which previously attached to the Property referred to in Clause 10 of this Transfer (being the property at Powick transferred to the Transferor by Transfer of even date herewith) shall on the date of this Transfer attach to the Property."

## B: Proprietorship Register

This register specifies the class of title and identifies the owner. It contains any entries that affect the right of disposal.

### Title absolute

- 1 (27.04.2017) PROPRIETOR: SARAH MARGARET HAWKINS of The Farm, Bosbury, Ledbury HR8 1NW and care of MFG Solicitors LLP (Reference: Iain Morrison), 20-21 The Tything, Worcester WR1 1HD and HENRY CHARLES MURCH of Osberton Grange, Osberton, Worksop S81 0UF and care of MFG Solicitors LLP (Reference: Iain Morrison), 20-21 The Tything, Worcester WR1 1HD.
- 2 (27.04.2017) RESTRICTION: No disposition by a sole proprietor of the registered estate (except a trust corporation) under which capital money arises is to be registered unless authorised by an order of the court.

Title number WR77785

End of register

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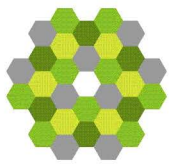
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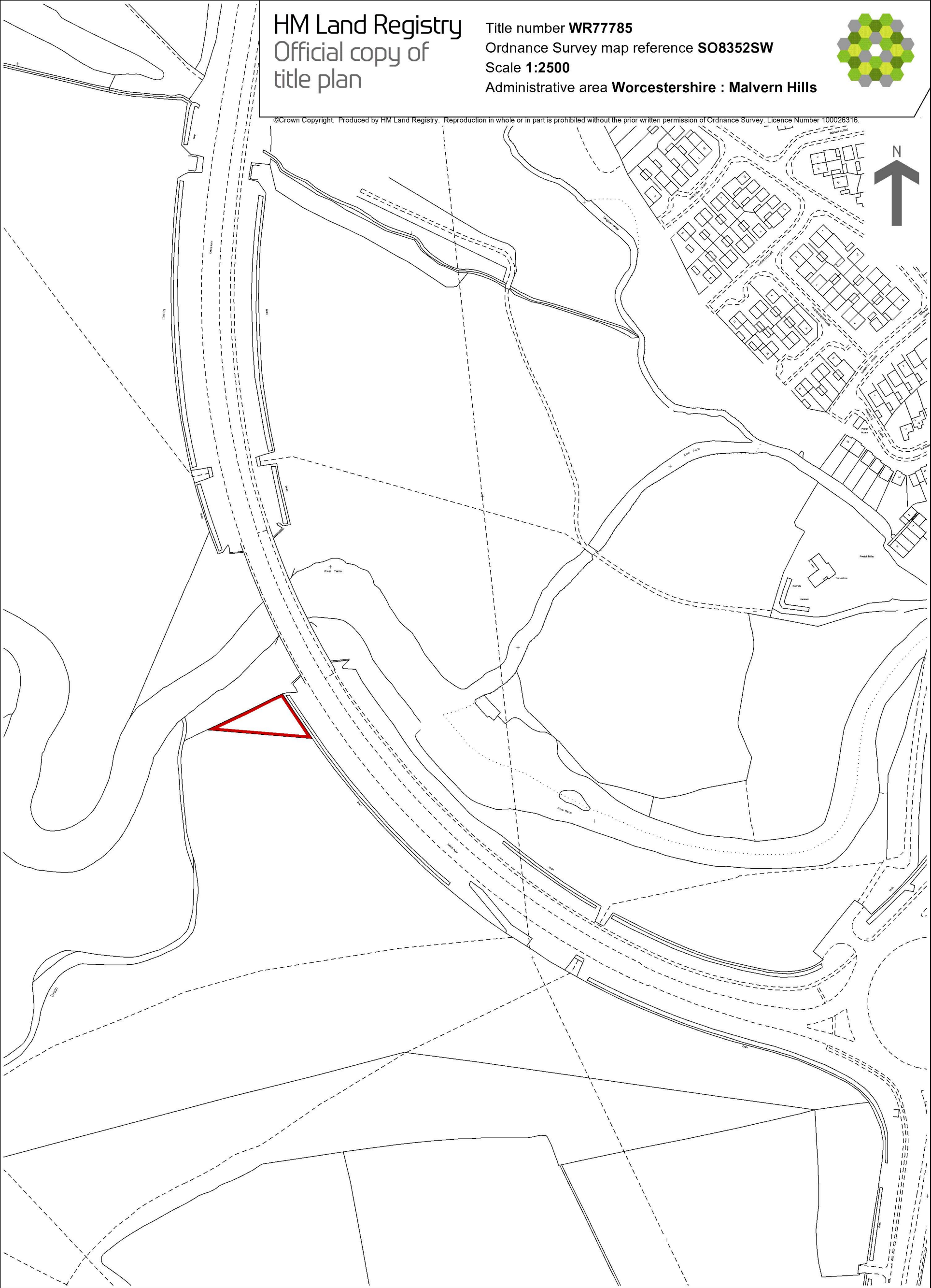
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HM Land Registry  
Official copy of  
title plan

Title number **WR77785**  
Ordnance Survey map reference **SO8352SW**  
Scale **1:2500**  
Administrative area **Worcestershire : Malvern Hills**



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# Official copy of register of title

Title number WR172606

Edition date 22.06.2017

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Issued on 21 Aug 2018.

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This title is dealt with by HM Land Registry, Coventry Office.

## A: Property Register

This register describes the land and estate comprised in the title.

WORCESTERSHIRE : WORCESTER

- 1 (22.06.2017) The Freehold land shown edged with red on the plan of the above title filed at the Registry and being Land lying to the south of Teme Acre, Old Road, Worcester (WR2 4BU).
- 2 (22.06.2017) The land in this title has the benefit of the rights granted by but is subject as mentioned in the Transfer of the land in this title and other land dated 26 June 1997 made between (1) Peter John Miller Scott and (2) Thomas Reeve Hawkins in the following terms:-

"The Property is transferred with the benefit of but subject to the matters referred to in the Second Schedule hereto so far as the same affect the Property and are still subsisting and capable of having effect.

### THE SECOND SCHEDULE

#### Rights Granted

1) A right of access for all purposes and at all times in common with the Transferor and the owner of Stockend Farm along the track coloured yellow on the said plan number 2 annexed hereto subject to the Transferee contributing to the cost of maintenance of the track according to user for the purposes of access to Woodmans and Lordswood Cottages.

2) A right of drainage for Lordswood Cottage through the pipes laid on the approximate position shown in blue on plan number 2 subject to keeping the same in repair and all necessary rights of entry for the purposes of inspecting maintaining and replacing the same subject to making good all damage caused."

NOTE: Copy plans filed.

- 3 (22.06.2017) The land has the benefit of any legal easements granted by a Transfer of the land in this title dated 13 June 2003 made between (1) Thomas R. Hawkins (Farms) Limited and (2) Worcestershire County Council.

-NOTE: Copy filed.

- 4 (22.06.2017) The Transfer dated 13 June 2003 referred to above contains



Title number WR172606

## A: Property Register continued

a provision as therein mentioned.

## B: Proprietorship Register

This register specifies the class of title and identifies the owner. It contains any entries that affect the right of disposal.

### Title absolute

- 1 (22.06.2017) PROPRIETOR: WORCESTERSHIRE COUNTY COUNCIL Head of Legal and Democratic Services of County Hall, Spetchley Road, Worcester WR5 2NP.
- 2 (22.06.2017) The value as at 22 June 2017 was stated to be between £1,000 and £50,000.

## C: Charges Register

This register contains any charges and other matters that affect the land.

- 1 (22.06.2017) The land is subject to any rights that are granted as mentioned in a Conveyance dated 10 December 1996 made between (1) Croome Estate Trust and (2) St. John's Angling Society and affect the registered land.  
  
-NOTE: Copy filed.
- 2 (22.06.2017) The land is subject to any rights that are granted as mentioned in a Conveyance dated 22 April 1997 made between (1) Croome Estate Trust and (2) St. John's Angling Society and affect the registered land.  
  
-NOTE: Copy filed.

## End of register

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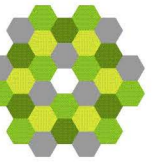
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HM Land Registry  
Official copy of  
title plan

Title number **WR172606**  
Ordnance Survey map reference **SO8352SW**  
Scale **1:2500**  
Administrative area **Worcestershire : Worcester**



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