COMMONS REGISTRATION ACT 1965   Reference No. 233/D/24

In the Matter of The Village Green,
Forton, Staffordshire

DECISION

This dispute relates to the registration at Entry No. 1 in the Land Section of the
Register Unit No. VG 5 in the Register of Town and Village Greens maintained by the
Staffordshire County Council and is occasioned by Objection No. 35 made by the Stafford-
shire County Council and noted in the Register on 27 October 1970.

I held a hearing for the purpose of inquiring into the dispute at Hanley, Stoke on Trent
on 11 January 1979. At the hearing the County Council was represented by Mr C Davis,
Solicitor, and no one else appeared.

Evidence was given by Mr G W Moore employed by the County Council as Area Surveyor. The
land is a small area of some 50 square yards, which lies between and is surrounded by two
roads each of which are surface dressed by the County Council, which is the Highway
Authority for Staffordshire, and the land lies between hedges or fences bordering the
roads. The land has been maintained by the Highway Authority in the sense that it is
kept clear from obstructions and not encroached on and is occasionally scythed by the
County Council: some other maintenance was, the witness believed, done by the occupier of
Forton Hall and there was no evidence of any recreational activities on the land.

No evidence was given at the hearing of any use by the local inhabitants for sports,
pastimes or other recreation.

In the light of the evidence given on behalf of the County Council and in the absence of
evidence indicating that the land satisfied the definition in the Act of 1965 of 'village
green', I refuse to confirm the registration.

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   12 K   day of   March   1979

Commons Commissioner