



COMMONS REGISTRATION ACT 1965

Reference No. 5/11/37

In the Matter of Parsonage Green, at The Mudd,
Mottram, Longdendale, Tameside, Metropolitan
Borough, Greater Manchester

DECISION

This reference relates to the question of the ownership of land known as Parsonage Green at The Mudd, Mottram, Tameside Metropolitan Borough (formerly Longdendale Urban District) being the land comprised in the Land Section of Register Unit No. CL.40 in the Register of Common Land maintained by the Greater Manchester (formerly Cheshire) 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 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 Salford on 11 December 1973. At the hearing Tameside Metropolitan Borough Council were represented by Mr D.F. Rawlinson their Chief Solicitor.

Mr Rawlinson said (in effect):- The registration was made on the application of the former Urban District Council; the personal knowledge of this land of the two officers of the Council then concerned goes back to 1950, and during that time there had never been any claim to ownership by anybody; people with whom they had spoken about it always assumed it was common land. The land is rough grass, open, on the top of a hill and a local view point: it is on the west side of a side road (the old road) between Mottram-in-Longdendale and Broadbottom. The Council have done some work on the land, turning it into a small amenity area, e.g. by tree planting and the provision of 2 seats. They could offer no evidence of ownership.

In the absence of any evidence I am not satisfied that any person is the owner of the land and it will therefore be subject to protection under section 9 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 18th day of December — 1975

a. a. Baden Fuller

Commons Commissioner