



COMMONS REGISTRATION ACT 1965

Reference No. 31/U/1

In the Matter of Albrighton Pool,
Donington and Albrighton, Bridgnorth
D., Salop

DECISION

This reference relates to the question of the ownership of land and land covered by water known as Albrighton Pool, Donington and Albrighton, Bridgnorth District being the land comprised in the Land Section of Register Unit No. CL.3 in the Register of Common Land maintained by the Salop 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 Donington Parish Council claimed ownership of the land in question; no other person claimed to be the freehold owner or 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 Shrewsbury on 18 February 1975. At the hearing Donington Parish Council were represented by Mr. T.L. Swales their clerk (Mr. G.H.M. Sankey one of their members was present) and Bridgnorth District Council were represented by Mr. F.R.P. Boughey (one of their employees).

Mr. Swales who has lived in Albrighton for the last 35 years and who has been clerk of the Donington Parish Council for the last 25 years (the two parishes adjoin) in the course of his evidence produced a conveyance dated 21 March 1962 between Messrs C.F. and D.C.H. Austin and John McLean and Sons Limited ("J. McLean") and a deed of gift dated 5 April 1966 and made between J. McLean and Donington Parish Council, and said (in effect) :- The land ("the Unit Land") comprised in this Register Unit which contains (according to the Register) about 3.7 acres, is a strip (as I scale the Register map about 400 yards long and with an average width of about 50 yards) which, except for the east part, is now all pool; the east part has silted up. The land conveyed by the 1966 deed of gift and the Unit Land are the same; the land conveyed by the 1962 conveyance comprises the Unit Land and a strip of land on the south, which strip is at the back of and now belongs to houses in Whiteladies Court. The boundary between the Parishes of Albrighton and Donington is the middle line of the Unit Land. Donington Parish Council are now cleaning out the pool and hope to make it into an amenity area.

On the evidence outlined above I am satisfied that the Parish Council is the owner of the land, and I shall accordingly direct the Salop County Council, as registration authority, to register Donington Parish Council as the owner of the land under section 8(2) of the Act of 1965.



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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 25th _____ day of February 1975

a. a. Baden Fuller

Commons Commissioner