



COMMONS REGISTRATION ACT 1965

Reference No 231/U/50

In the Matter of land of about
30 a. 2 r. 32p. on the Longmynd
Common, Myndtown, South Shropshire
District, Salop.

DECISION

This reference relates to the question of the ownership of land of about 30 acres, 2 roods, 32 perches part of OS No 252 on the Longmynd, Myndtown, South Shropshire District being the land comprised in the land Section of Register Unit No CL109 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.

When making this reference (dated 10 May 1974) Salop County Council noted that the land was purchased by the Midland Gliding Club Ltd from the Executors of Major R W B Crawford & Clarke on 7 March 1974. Following upon the public notice of this reference no person claimed to be the freeholder of the land in question and no person claimed to have information as to its ownership.

I held a hearing for the purpose of enquiring into the question of the ownership of the land at Shrewsbury on 22 June 1978. At the hearing (1) Midland Gliding Club Ltd ("the Club") were represented by Mr N W Crook, solicitor of J C H Bowdler and Sons, Solicitors, of Shrewsbury; and (2) Myndtown Parish Council were represented by Mr H G Caulfield one of their members (he attended as "observer".)

Mr Crook in the course of his evidence produced: (1) a conveyance dated 4 April 1974 by which Mr R W C Clarke and others as personal representatives of Mr R W B C Clarke (he died 14 August 1973) conveyed to the Club land containing about 30a. 2r. 32p. as delineated on the annexed plan, and (2) an abstract dated 1974 of the title of such personal representatives commencing with a conveyance dated 2 March 1946 by Mrs J ~~Clarke~~ with the concurrence of her trustees to Mr R W B C Clarke of (secondly) parcels of land on the Longmynd Hill containing about 79 a. 8p including (described particularly in the Schedule) "252 part (Ordnance No), 53 (Enclsr Award No), Hill Land (Descron), 30.2.32. (A.r.p.)

From the Register maps and the plan on the 1974 conveyance, I identified the land in this Register Unit with the 30 a. 2r. 32p comprised in the 1974 and 1946 conveyances. I am therefore satisfied that the Club is the owner of the land and I shall accordingly direct Salop County Council as registration authority, to register Midland Gliding Club Limited of Daviot House, Lombard Street, West Bromwich West Midlands 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 23rd day of August 1978

a. a. Baden Fuller

Commons Commissioner