

COMMONS REGISTRATION ACT 1965



Reference No. 233/U/75

In the Matter of Church Eaton Common,
Staffordshire

DECISION

This reference relates to the question of the ownership of land known as Church Eaton Common being the land comprised in the Land Section of Register Unit No. 92 98 in the Register of Common Land maintained by the Staffordshire 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 (1) Mr R S Cartwright (2) Church Eaton Parish Council each claimed to be the freehold owner of the land in question and no other 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 Hanley, Stoke on Trent on 11 January 1979.

At the hearing Mr J E Buckler, Chairman of Church Eaton Parish Council, appeared on its behalf: there were no other appearances.

The Parish Council had no documentary evidence of ownership: Mr Buckler stated that the land had always been considered common land and the Parish Council claimed it by way of ancient usage.

On this evidence I am not satisfied that any person is the owner of the land, and it will therefore remain 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

11th

day of

April

1979

L. J. Morris Lewis

Commons Commissioner