



COMMONS REGISTRATION ACT 1965

Reference No. 233/U/81

In the Matter of The Village Green,  
Barlston, Staffordshire

DECISION

This reference relates to the question of the ownership of land known as The Village Green, Barlston being the land comprised in the Land Section of Register Unit No. VG 22 in the Register of Town or Village Greens 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 Barlston Parish Council 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 the Parish Council was represented by Mr S J Cork, Solicitor, and no one else appeared. Evidence was given by Mr B K Lovatt, Clerk to the Parish Council. From the Parish Council Minute Books it appears that from 1897 onwards improvements and maintenance have been carried out to the Green by the Parish Council - these have included repairs, levelling, drainage, provision of seats, tree planting and grass cutting, and since 1924 the employment of a Greenman.

In 1909 the Lord of the Manor consented to the Parish Council exercising control over the Green for the purpose of making bye-laws: such bye-laws were made and approved by the Local Government Board in 1910 and are still in force. In the financial year ending 31 March 1979 the Council's expenditure on maintenance of the Green is some £367. The Council grants way leaves to use the wicket gate on the Green to local residents, and to the Gas Board, and <sup>receives</sup> ~~various~~ nominal rents.

In these circumstances it appears to me that the Parish Council has sufficiently established a possessory title, and accordingly, being satisfied that it is the owner of the land, I shall direct the Staffordshire County Council, as registration authority, to register Barlston Parish Council as the owner of the land under section 8(2) of the Act of 1965.

I am required by regulations 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

29<sup>th</sup>

day of

January

1979

*L. J. Morris Smith*

Commons Commissioner