



COMMONS REGISTRATION ACT 1965

Reference No 5/U/26

In the Matter of Barnesbridge Ashton
Road, Delamere, Vale Royal D

DECISION

This reference relates to the question of the ownership of land known as Barnesbridge, Ashton Road, Delamere, Vale Royal D being the land comprised in the Land Section of Register Unit No CL. 22 in the Register of Common Land maintained by the 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 Vale Royal District 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 Chester on 26 January 1977.

Mr T F Wakeford, solicitor, appeared for the Vale Royal District Council and produced extracts from the Delamere Award 1816-1817 whereby the land in question was allotted to the Surveyor and Surveyors for the time being of highways of the Township therein mentioned. The Vale Royal District Council is the successor to the said Surveyors. The land was not allotted exclusively for highway purposes and the land is accordingly held not only for Highway purposes but also for the benefit of those entitled to benefit under and by virtue of the said Award.

For these reasons I am satisfied that Vale Royal District Council is the owner of the land, and I shall accordingly direct the Cheshire County Council, as registration authority, to register Vale Royal District Council 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 21st day of February

1977

Commons Commissioner