



COMMONS REGISTRATION ACT 1965

Reference No. 205/U/13

In the Matter of Larkton Recreation Allotment,
Cheshire

DECISION

This reference relates to the question of the ownership of land known as Larkton Recreation Allotment being the land comprised in the Land Section of Register Unit No. VG 30 in the Register of Town or Village Greens 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 Mr I S H Dennis claimed to be the freehold owner of the land in question ("the Unit Land") 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 Unit land at Chester on 25 July 1979.

At the hearing Mr W F Glazebrook, Solicitor, appeared on behalf of the claimant. Mr Glazebrook produced the following documents:- (a) Conveyance on Sale dated 9 April 1925 between the Marquis of Cholmondeley (1) Arthur Maitland Wilson and Others (2) Arthur Augustus Shone (3) whereby land which included the Unit land was conveyed to Arthur Augustus Shone, (b) Conveyance on Sale dated 2 October 1935 between Arthur Augustus Shone (1) Mary Scott Dennis the wife of Charles Cyril Dennis (2) whereby land which included the Unit land was conveyed to Mary Scott Dennis, (c) Vesting Assent dated 26 March 1955 by the personal representatives of Mary Scott Dennis to the vesting of (inter alia) the Unit land in Charles Cyril Dennis on the trusts of her will, (d) Assent dated 15 October 1965 by the personal representatives of Charles Cyril Dennis to the vesting of the property comprised in the Vesting Assent of 26 March 1965 in the claimant.

On this evidence I am satisfied that Mr I S H Dennis is the owner of the land, and I shall accordingly direct the Cheshire County Council, as registration authority, to register him 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 Regulation 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 16 August 1979

L. J. Morris Smith

Commons Commissioner