

JW

COMMONS REGISTRATION ACT 1965



Reference No. 205/U/57

In the Matter of Morley Common, Lower Walton,
Warrington, Cheshire

DECISION

This reference relates to the question of the ownership of land known as Morley Common, Lower Walton, Warrington, being the land comprised in the Land Section of Register Unit No. CL.113 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 no person claimed to be the freehold owner of the land in question and no one 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 27 June 1984. At the hearing the Warrington Borough Council was represented by Mr D S Cooper of the Borough Secretary's Department.

The greater part of the land the subject of the reference, having an area of 9.981 ac., was conveyed to the former Warrington Corporation by a conveyance made 12 January 1949 between (1) Laporte Chemicals Ltd (2) The Mayor, Alderman and Burgesses of the County Borough of Warrington in substitution for part of an area then known as Morley Common. The land so conveyed was transferred to the present Warrington Borough Council by the Local Authorities (England) (Property etc) Order 1973 (S.I. 1975. No. 1861).

On this evidence I am satisfied that the Warrington Borough Council is the owner of the land conveyed to the former Warrington Corporation, and I shall accordingly direct the Cheshire County Council, as registration authority, to register the Warrington Borough Council as the owner of that land under section 8 (2) of the Act of 1965.

In the absence of any further evidence I am not satisfied that any person is the owner of the remainder of the land the subject of the reference, which 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

9th

day of

July

1984


Chief Commons Commissioner