



In the Matter of Pickmere Lake, Marston,
Cheshire

59

DECISION

This reference relates to the question of the ownership of land known as Pickmere Lake, Marston being the land comprised in the Land Section of Register Unit No. CL 111 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 Mr C R Woolworth 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 24/25 July 1979. At the hearing, Mr T J Lowe, Solicitor, appeared on behalf of the estate of C R Woolworth and of Mr R J Woolworth, one of the Executors appointed by his will.

By a Conveyance on sale dated 1 January 1940 Between the Agricultural Mortgage Corporation (1) and F E Holme and C R Woolworth (the Purchasers) the Unit land was with other land conveyed to the Purchasers. F E Holme died on 12 August 1963 and by an Assignment dated 24 March 1966 his half share was assigned by his executors to C R Woolworth. The latter died on 20 March 1979.

I am satisfied on this evidence that C R Woolworth was the owner of the Unit land at the date of his death. I understand that probate of his will has not yet been granted and I shall direct the Cheshire County Council, as registration authority, to register the Executors when constituted as the owners of the land under section 8(2) of the Act of 1965. If before giving the direction probate is obtained and I am informed of the names of the proving executors, the direction can name them as the persons to be registered.

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

2nd October

1979

Commons Commissioner