



In the Matter of the piece of land known as  
Kings Stanley War Memorial in the parish of  
Kings Stanley

DECISION

This reference relates to the question of the ownership of land known as Kings Stanley War Memorial being the land comprised in the Land Section of Register Unit No. CL 10 in the Register of Common Land maintained by the Gloucestershire 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 Stroud 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 Gloucester on 10 December 1980.

Mr D Parker appeared for Stroud District Council and Mr T Mugford of Messrs A E Smith and Co, Solicitors of Stroud appeared for King's Stanley Parish Council.

Mr Parker produced the original of a Scheme made by the former Stroud Rural District Council under the Commons Act, 1899 for the Regulation and Management of Selsley Common which included this Register Unit. The Scheme had been approved on 26 February 1942, and submitted that the District Council should be registered as owner.

Mr Edward King of Peaked Elm Farm near Selsley gave evidence on behalf of the Parish Council. He was 52 years of age and had lived in the parish all his life. He had been a member of the Parish Council for the past 20 years. Village Greens had been kept tidy by the Parish Council after they were turned over by the Rural District Council. Some Village Greens had been registered but not the War Memorial. He did not remember whether the Parish Council had been requested by the District Council to maintain the War Memorial. In cross-examination he said that the Parish Council had only administered Village Greens since 1974. The District Council dealt with claims over Common Land.

Having regard to what seems to have been a system of shared responsibility,

On this evidence (I am not satisfied) that any person is the owner of the land, and it 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

5<sup>th</sup>

day of

February

1981

*George Husketh*  
Commons Commissioner