



COMMONS REGISTRATION ACT 1965

Reference No.31/U/18

In the Matter of Henley Common (part).Acton Scott, Salop.DECISION

This reference relates to the question of the ownership of land known as Henley Common (part), Acton Scott, being the land comprised in the Land Section of Register Unit No.CL.111 in the Register of Common Land maintained by the former Salop 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 Mrs.J.S.Acton 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 Shrewsbury on 11th June 1974.

At the hearing Mrs.Acton was represented by Mr.D.H.Salt, solicitor.

The land the subject of this reference consists of a small triangle containing 850 sq. yds or thereabouts lying to the south of a larger area of land known as Henley Common. In 1937 this small triangle of land belonged to one Henry Hand. By the Henley Common Road (Compulsory Purchase) Order 1937 the Salop County Council was authorised to purchase compulsorily from Mrs.Acton (described in the Order as Mrs.Joyce Stackhouse Fullerton-Smith, her husband having changed his surname to Acton by deed poll dated 7th September 1941) part of Henley Common. The small triangle of land was certified as being equally advantageous to the persons, if any, entitled to commonable or other rights and to the public and it was provided by art.6 of the Order that after the conveyance of this land to the County Council it should by virtue of the Order vest in the same person as the common land might then be vested. Mr.Hand conveyed his land to the County Council on 20th February 1939 and it thereupon vested in Mrs.Fullerton-Smith (as she then was).

For these reasons I am satisfied that Mrs.Acton is the owner of the land, and I shall accordingly direct the Salop County Council, as registration authority, to register her 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 27<sup>th</sup> day of June 1974

Chief Commons Commissioner