



COMMONS REGISTRATION ACT 1965

Reference Nos 231/D/104
231/D/105

In the Matter of Pole Bank Moor,
Wentnor, Myndtown Parish, South
Shropshire District, Shropshire

DECISION

These disputes relate to the registrations at Entry No. 1 in the Land Section and in the Rights Section of Register Unit No. CL 40 in the Register of Common Land maintained by the Shropshire County Council and are occasioned by Objection No. O.36 made by Commoners Association of Stretton-en-le-Dale and noted in the Register on 8 March 1971.

I held a hearing for the purpose of inquiring into the dispute at Shrewsbury on 23 February 1982. At the hearing (1) Commoners Association of Stretton-en-le-Dale were represented by Major H G Longstaff their Honorary Secretary; (2) Mr Graham Arthur Medlicott of No. 7, Six Acres, Radbrook, Shrewsbury as successor of Mr Wilfred Edmund Medlicott on whose application the Rights Section registration was made (he died 29 August 1973) was represented by Mr K Fraser solicitor of Wace Morgan & Salt, Solicitors of Shrewsbury; and (3) Myndtown Parish Council were represented by Mr M Williams their chairman.

The land in this Register Unit contains about 179.890 acres and is bounded on the north, east and (about half of it) south by the much larger tract (about 5,470 acres) comprised in Register Unit No. CL 9 (common land of the Manor of Stretton-en-le-Dale). The Land Section registration was made in consequence of the application for the registration of a right to depasture 20 sheep 2 ponies attached to Upper Stanbatch Cottage. The grounds of the Objection are in effect that the land is not common land being owned as regards the northern portion by Mrs P A Maddocks and the southern portion by Mr W E Medlicott himself.

Major Longstaff, Mr Fraser and Mr Williams being agreed that these registrations were made mistakenly I refuse to confirm them.

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 6th - day of August - 1982

A. A. Bacon Fuller

Commons Commissioner