



COMMONS REGISTRATION ACT 1965

Reference No. 231/U/52

In the Matter of The Allotments,
Norbury

DECISION

This reference relates to the question of the ownership of the land described above being the land comprised in the Land Section of Register Unit No. CL 82 in the Register of Common Land maintained by the 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 Norbury Parish Meeting and Mr E R T Price each claimed to be the freehold owners 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 Shrewsbury on 27 March 1980.

At the hearing Norbury Parish Meeting was represented by its Chairman, Mr W H Cooke, and there was no other appearance.

By an Inclosure Award of 1851, the Unit land was allotted to the Churchwardens and Overseers of the Poor of the Parish of Norbury as a place of exercise and recreation for the inhabitants of the Parish. It appears that there has not at any relevant time been a Parish Council of Norbury, so that by virtue of Section 19(7) Local Government Act 1894 the Unit land vested in the body corporate of the chairman of the Parish Meeting and overseers of the Parish and is now vested in the Parish Trustees (Section 13(3) Local Government Act 1972). The Parish Meeting is, I understand, grouped with the Myntown Parish Council, but unless the order for grouping made provision for the transfer of the Parish Meeting's property its ownership would not be affected. As I understand, no such provision was made, so that ownership passed to and remains in the Parish Trustees.

I shall accordingly direct the Salop County Council, as registration authority, to register the Norbury Parish Trustees 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 28 July 1980

L. J. Manis Smith
Commons Commissioner