



COMMONS REGISTRATION ACT 1965

Reference No 231/U/49

In the Matter of The Quabbs,
Llanfair Waterdine, South
Shropshire District, Salop

DECISION

This reference relates to the question of the ownership of land known as The Quabbs containing (according to the Register) about 15 acres, Llanfair Waterdine, South Shropshire District being the land comprised in the Land Section of Register Unit No CL. 97 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 no person claimed to be the freehold owner of the land in question and no 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 22 June 1978. At the hearing Mr Ronald Whitmore Thomas attended in person.

The registration was made in consequence of an application by Mr R W Thomas, Mr F Thomas and Mr A Thomas (as owners) to register rights attached to Hidmore Farm of turbary and of sole grazing for 30 sheep and 5 cattle.

Mr Thomas in the course of his evidence produced (among other documents):

- (1) an extract (certified on 22 August 1972 by Geo H Medlicott & Son Solicitors of Knighton) from the Award of 16 February 1859 by which there was allotted to the Churchwardens and Overseers of the Poor of the parish of Llanfair Waterdine land numbered 54 on the map therein referred to and containing 15 acres for the township of Clewilsey for the digging cutting and curing of Peats to be used as fuel in and upon the messuages and other Buildings within the said township but not for sale or any other purpose whatsoever;
- (2) an order dated 16 June 1972 and made by the Charity Commissioners in the matter of the Charity being the said Turbary Allotment, authorising the sale of the land thereby allotted; and (3) a conveyance dated 22 August 1972 by which the Parish Council of Llanfairwaterdine pursuant to the said order conveyed to Mr F Thomas, Mr A Thomas and Mr R W Thomas the land so allotted and for the purpose of identification delineated on the plan annexed.

Mr R W Thomas identified the land so conveyed with that in this Register Unit (the conveyance plan and the Register map appear so far as now relevant to be the same), and said that they farmed the land with Hidmore Farm (it is now just ploughed over).

On this evidence I am satisfied that Messrs F T, A and R W Thomas are the owners of the land, and I shall accordingly direct the Salop County Council as registration authority to register Mr Frederick Thomas and Mr Alwyn Thomas both of Hidmore Farm, Beguildy, Powys and Mr Ronald Whitmore Thomas of Durstone Farm, Pencombe, near *Stromyard, Hereford* as the owners 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 30th day of June 1978

a. a. Baden Fuller

Commons Commissioner