



COMMONS REGISTRATION ACT 1965

Reference Nos 231/D/47  
231/D/48

In the Matter of The Recreation  
Ground, Obley, South Shropshire  
District, Salop

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DECISION

These disputes relate to the registrations at Entry No 1 in the Land Section of Register Unit No CL. 67 in the Register of Common Land and at Entry No 1 in the Land Section of Register Unit No VG. 13 in the Register of Town or Village Greens maintained by the Salop County Council and are occasioned by the said registrations being in conflict.

I held a hearing for the purpose of inquiring into the dispute at Shrewsbury on 22 June 1978. At the hearing Salop County Council (the VG registration was made by them as registration authority without application) were represented by Mr D J Brierly solicitor of the Council Secretary's Department.

The CL registration was made on the application of Clunbury Parish Council, and is of a piece of land containing (according to the Register) 3 acres and 12 perches. The VG registration is of the same piece of land containing (according to the Register "3 acres or thereabouts"). I have a certificate dated 20.6.78 and signed by the Clerk of the Parish Council that his Council has resolved to withdraw their registration, and assert that the land should be registered as village green. Mr Brierly produced an extract from an inclosure award dated 18 July 1854 by which land numbered 6 on the plan containing 3 acres and 12 perches was allotted as a place of exercise and recreation for the inhabitants of the Township and neighbourhood, and identified the land so allotted with the VG. 13 land.

In the foregoing circumstances, I conclude that the VG registration was properly made, and accordingly I refuse to confirm the CL registration and confirm the VG registration without any modification.

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 — 1978

a. a. *Baker Fuller*

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Commons Commissioner