



COMMONS REGISTRATION ACT 1965

Reference No 231/U/35

In the Matter of the Village
Green, Hopton Wafers, South
Shropshire District, Salop

DECISION

This reference relates to the question of the ownership of land known as the Village Green, Hopton Wafers, South Shropshire District being the land comprised in the Land Section of Register Unit No VG. 22 in the Register of Town or Village Greens 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 21 June 1978. There was no appearance at the hearing, but my attention has been drawn to four letters sent to the Office of the Commons Commissioners or to me at the Shire Hall Shrewsbury, two dated 23 May and 20 June 1978 from Banks & Silver auctioneers, estate agents and surveyors of Kidderminster, and two dated 2 and 19 June 1978 from Ivens & Morton Solicitors of Kidderminster, and all apparently written on behalf of Major P R E Woodward.

In the above mentioned letters, it seems to be alleged that this registration (which was made by the registration authority without application) was made in error, or alternatively that Major Woodward has by some error not been registered as owner under section 4 of the 1965 Act. At the hearing no evidence was offered as to either of these errors or as to any other matter relating to the land; and even if it had been, there was nothing in the letters to suggest that I would have any jurisdiction to rectify the error in the way the writers seemed to expect. As matters now stand by section 8 of the 1965 I am, having held a hearing in accordance with the section, under a duty to say whether I am satisfied as to ownership. In the absence of evidence I am not satisfied that any person is the owner of the land, and it will therefore remain subject to protection under section 9 of the said Act.

However in view of the above mentioned letters I give to Major P R E Woodward liberty to apply to me within 6 weeks from the date on which notice of this decision ~~is~~ to his solicitors, to reopen the hearing and set aside this decision. Any such application should be made in writing and sent to the Clerk of the Commons Commissioners and should specify the decision which he wishes me to give and summarise the evidence ^{which may} be offered in support of it at any further hearing which might be held. A copy of such application should be sent to the Salop County Council as registration authority with a letter explaining that I will consider any written representations ~~to be~~ made to the Clerk for or against the relief claimed in the application. *by 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 29th day of June 1978

a. a. Babin Filler

Commons Commissioners