



In the Matter of Chapel Green, Marchington  
Woodlands, Staffordshire

DECISION

This dispute relates to the registration at Entry No. 1 in the Land Section of Register Unit No. VG 21 in the Register of Town or Village Greens maintained by the Staffordshire County Council and is occasioned by Objection No. 47 made by Staffordshire County Council and noted in the Register on 27 October 1970.

I held a hearing for the purpose of inquiring into the dispute at Hanley, Stoke on Trent on 2 January 1979. At the hearing the County Council appeared by Mr C C Davis, Solicitor, and no one else appeared.

Evidence was given by Mr J R Goodfellow, employed as Area Surveyor by the Staffordshire County Council, which is the highway authority for Staffordshire.

The land, which is triangular in shape, is bordered on all three sides by metalled carriageways and has a cross roads at one corner. The 1960 OS map indicates that physically the land is part of the public highway; it is part of the land between the boundary lines of the properties adjoining the crossroads, and these lines have not changed since 1960. The carriageways surrounding the land are narrow and it is not possible for vehicles to pass keeping completely on the carriageway, and in order to pass they are frequently driven into this piece of land. The highway authority regards itself as responsible for maintenance of the land and for ensuring that it is kept clear from obstructions, and has done some cutting of the grass and erected a signpost. The witness was not aware of any maintenance by any other person nor of any use for recreational purposes; the area is sparsely populated.

This evidence indicated that the land did not qualify as a village green and, there being nothing to support a contrary view, I refuse to confirm the registration.

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

15<sup>th</sup>

day of

February

1979

*L. J. Morris Smith*

Commons Commissioner