



COMMONS REGISTRATION ACT 1965

Reference No. 233/U/61

In the Matter of Clayton Green, Clayton, StaffordshireDECISION

This reference relates to the question of the ownership of land known as Clayton Green, Clayton being the land comprised in the Land Section of Register Unit No. CL.40 in the Register of Common Land maintained by the Staffordshire 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 Newcastle under Lyme Borough Council claimed to be the freehold owner of the land in question 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 land at Hanley, Stoke-on-Trent on 12 January 1979.

S.C. Jackson
Mr ~~G.A. Tucker~~, Solicitor, represented the Borough Council. By a conveyance dated 5 June 1963 between H M the Queen in right of Her Duchy of Lancaster (1) and the Newcastle under Lyme Borough Council (2) the land was conveyed *on sale* to the Borough Council. No other person appeared at the hearing *except* that Miss Sheila Cameron of Counsel, who had appeared in an earlier case concerning the Duchy of Lancaster, stated on behalf of the Duchy that it acknowledged the efficiency of the Conveyance.

The success in title to the grantee under the conveyance (which is, I understand,
On this evidence I am satisfied that ~~the Borough Council~~ is the owner of the land, and I shall accordingly direct the Staffordshire County Council, as registration authority to register ~~the Mayor Alderman and Burgesses of the Borough of Newcastle under Lyme Borough~~ 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 this *14th* day of *February* 1979

L. J. Morris Smith

Commons Commissioner