



COMMONS REGISTRATION ACT 1965

Reference No. 233/U/77

In the Matter of Fradswell Parish Field,
Fradswell, Staffordshire

DECISION

This reference relates to the question of the ownership of land known as Fradswell Parish Field, Fradswell being the land comprised in the Land Section of Register Unit No VG 6 in the Register of Town or Village Greens 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 Fradswell Parish Meeting 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 11 January 1979.

At the hearing the Parish Meeting was represented by Mr J A James Solicitor, of the firm of Hand Morgan & Owen, and no one else appeared.

By an Inclosure Award of 1856 the land was awarded to the Churchwardens and Overseers of Fradswell and by virtue of the Overseers Order 1927 No 55 passed to the Parish Meeting.

I am satisfied that the Parish Meeting is the owner of the land, and I shall accordingly direct the Staffordshire County Council, as registration authority, to register the Parish Meeting Trustees as the owner of the land under section 8(2) of the Act of 1965. I understand that an Order made under Section II of the Local Government Act 1972 for grouping the Parish with 2 other Parishes under a Common Parish Council will come into effect next May, but so far as I can see the Order does not provide for any transfer of the property of Fradswell Parish Meeting.

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 24th day of March 1979
L. J. Morris Smith
 Commons Commissioner