



COMMONS REGISTRATION ACT 1965

Reference No. 233/R/13

COMMON LAND (RECTIFICATION OF REGISTERS) ACT 1989

In the Matter of Land at Moorside Bungalow, off Eaves Lane,  
part of Watley Moor Common

## DECISION

This reference relates to an objection under the Common Land (Rectification of Registers) Act 1989 to the registration of part of the land registered in Entry No. 25 in the Land Section of Register Unit No. CL 25 in the Register of Common Land maintained by the Staffordshire County Council.

It is occasioned by Objection No. 13 made by Mr R P Spooner and referred to a Commons Commissioner on 4 August 1992.

I held a hearing to inquire into this objection at Stoke on Trent on 18th November 1992.

The evidence in this case was based on the statutory declarations of Mr R P Spooner (the Objector) and Miss Hilda Deaville made on 14 July and 15 July 1992 respectively. Miss Deaville was born at the property in 1925 and it was her home until 1974. Since 1974 she has lived nearby at Werrington. Mr Spooner has resided at the property since 1983. Both attended the hearing and gave oral evidence during the course of which they confirmed their statutory declarations.

From their evidence (which was not contradicted or doubted by any other evidence) the following facts were established, namely:

- (a) That the land has an area of about  $\frac{3}{4}$  acre and has been a single unit within its existing boundaries since about 1925
- (b) That a bungalow made of wood and asbestos was built on the property by Miss Deaville's grandfather in 1925
- (c) That in about 1975 the bungalow was largely rebuilt by Mr Spooner's father and extended so as to include an old dairy
- (d) That the bungalow is and has since 1925 been a dwellinghouse
- (e) That the existing outbuildings consisting of a garage and a shed were built by Mrs Deaville's father
- (f) That the remainder of the property is, and has since a date prior to 1945 been, a garden ancillary to the bungalow.

Written representations opposing Mr Spooner's objection were initially made, but these were withdrawn prior to the hearing and Mr Spooner's application was therefore unopposed



On that evidence I consider that the requirements of Section 1(2) of the 1989 Act are satisfied in the case of the whole of the land to which this objection relates.

I am required by regulation 22(1) of the Common Land (Rectification of Registers) Regulations 1990 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

20<sup>th</sup>

day of

November

1992

A handwritten signature in cursive script, appearing to read 'C. R. Rowan', written in dark ink.

Commons Commissioner