



In the Matter of The Village Greens
Bagnall, Staffordshire

DECISION

This reference relates to the question of the ownership of land known as The Village Greens, Bagnall being the lands comprised in the Land Section of Register Unit No. VG 24 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 Bagnall Parish Council and Mr A Brown each claimed to be the freehold owner of the lands in question; 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.

Mr W J Cruxton, the Chairman of the Parish Council appeared on its behalf and Mr Brown appeared in person.

By a Conveyance dated 31 December 1963 between (1) R.H. Antrobus (2) the Parish Council, the land was conveyed to the Parish Council for the sum of £10 the Council covenanting with the Vendor as Lord of the Manor to leave the land open and keep it as part of the amenities of The Village of Bagnall. Mr Cruxton gave evidence to the effect that the Council had fenced the land and drained it at a cost of £2000, and had maintained the land and kept the grass cut, and that no objection had been made to the Council's fencing and control.

Mr Brown gave evidence to the effect that since 1916 his father and he, the owners of Old Hall Farm, had grazed their cows on the Village Green: that formerly there was a pool on the land which in the 1940's was filled in by the County Council after obtaining their consent as owners of the Farm, and the County Council had provided in its place a drinking trough on the opposite side of the road. Mr Brown also disputed the accuracy of some of the details of maintenance by the Parish Council given by Mr Cruxton.

On the evidence I am satisfied that the Parish Council is the owner of the lands and I shall accordingly direct the Staffordshire County Council, as registration authority, to register Bagnall Parish Council as the owner of the lands 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 15th day of February 1979

H. J. Morris Smith

Commons Commissioner