



In the Matter of Wetley Common near Werrington
in the County of Stafford

DECISION

This reference relates to the question of the ownership of land known as Wetley Common (part) being the land comprised in the Land Section of Register Unit No. CL 25 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 as the owner.

Following upon the public notice of this reference Stoke on Trent City Council and Staffordshire Moorlands District Council claimed to be the freehold owner of most of the land 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 Stoke on Trent on 14 October 1980.

Mrs Ingram, Solicitor appeared for the Wetley Moor Joint Committee and Mr T A Dale appeared in person.

Mrs Ingram produced a Conveyance dated 31 December 1927 made between Sir George Guy Chetwynd Baronet, his mortgages and the Settled Land Act Trustees of his family settlement which conveyed substantially the whole of the Register Unit to the Rural District Council of Cheadle and the City of Stoke on Trent as joint purchasers.

I have examined a certified copy of the Conveyance with a plan annexed and I am satisfied that as Mrs Ingram claim, Stoke City Council and Staffordshire Moorlands District Council are joint owners in fee simple of the Register Unit CL 25 with the following exceptions-

- (i) the registered portions thereof as shown on the plan annexed to an Official Certificate of Search dated 23 January 1978
- (ii) the area marked 'C' (hatched black) and Plots numbered 106, 108 and 109 on the plan annexed to the said Conveyance.

Mr Dale did not oppose Mrs Ingram's claim or make any claim himself. I was not satisfied that any other person is the owner of any part of the remainder of the land.

On this evidence I am satisfied that the City of Stoke on Trent and Staffordshire Moorlands District Council are the joint owners of the land subject to the exceptions mentioned and I shall accordingly direct the Staffordshire County Council, as registration authority, to register them as owners of that land under section 8(2) of the Act of 1965. I am not satisfied that any person is the owner of the remainder of the land which will therefore remain subject to protection under section 9 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.

Corrected pursuant to Regulation 33 of the Commons Commissioners Regulations 1971.

Dated this

Matthias Roth, 22nd June 1989

day of

November

1980
C. H. H. H.