

COMMONS REGISTRATION ACT 1965



Reference No. 239/U/104

In the Matter of Land fronting Shaw's Lane,
Shrewley, Warwickshire

DECISION

This reference relates to the question of the ownership of land fronting Shaw's Lane, Shrewley, being the land comprised in the Land Section of Register Unit No. CL 44 in the Register of Common Land maintained by the Warwickshire 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 the Shrewley Parish 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 Leamington Spa on 8 December 1982.

At the hearing the Parish Council was represented by Mrs M Sparks, its Clerk.

Mrs Sparks said that she understood that the land in question was formerly the property of the Surveyors of Highways of the parish of Shrewley and was transferred to the Parish Council by the Local Government Act 1894. She did not, however, adduce any evidence of this, but since it appears from the account books of the Parish Council that the Council has received rent for the land since 1918, it is sufficient for the purposes of this reference to support a possessory title.

On this evidence I am satisfied that the Parish Council is the owner of the land, and I shall accordingly direct the Warwickshire County Council, as registration authority, to register the Parish Council as the owner of the land under section 8(3) 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

December

1982

Chief Commons Commissioner