



In the Matter of an area of land at Pelsall
North Common, Pelsall

DECISION

This reference relates to the question of the ownership of land above mentioned being the land comprised in the Land Section of Register Unit No. CL 113 in the Register of Common Land maintained by the former 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 Walsall Metropolitan Borough 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 Coventry on 3 November 1981.

Mr M J Gough a Solicitor with the claimant Council appeared on its behalf. He called Mr James Randle Evans LLB the Assistant Town Clerk who produced documents of title to the land which satisfied me that the Council's claim was valid. Mr Mark Forrest of Messrs Smith Gore, Chartered Surveyors of Newport appeared on behalf of the Church Commissioners who formerly owned part of the land but did not now make any claim to ownership.

On this evidence I am satisfied that Walsall Metropolitan Borough Council is the owner of the land, and I shall accordingly direct the West Midlands County Council, as registration authority, to register Walsall Metropolitan Borough Council as the owner of the land 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

10th 1981

day of

November

1981

Lang Herdick

Commons Commissioner