



In the Matter of land known as Vigo Common,
Walsall Wood

DECISION

This reference relates to the question of the ownership of the land above mentioned being the land comprised in the Land Section of Register Unit No. CL 81 in the Register of Common Land maintained by the West Midlands 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, Solicitor appeared for the Council and informed me that the Council believed that it had acquired a possessory title to the land and would in due course send an affidavit in support to the London Office. After frequent reminders no affidavit was forthcoming and I referred the matter for hearing in London on 23 March 1983. Mr Dale appeared for the Council and accepted that the Council could not support its claim.

In the absence of any evidence I am not satisfied that any person is the owner of the land, and it 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.

Dated this

7th

day of

April

1983

James H. H. H.

Commons Commissioner