



COMMONS REGISTRATION ACT 1965

Reference No. 205/D/35

In the Matter of Black Bear Opening,
South-west of the Market Hall,
Sandbach, Congleton Borough, Cheshire

DECISION

This dispute relates to the registration at Entry No. 1 in the Land Section of Register Unit No. CL33 in the Register of Common Land maintained by the Cheshire County Council and is occasioned by Objection No. 62 made by Sandbach Urban District Council and noted in the Register on 18 December 1970.

I held a hearing for the purpose of inquiring into the dispute at Chester on 2 February 1982. At the hearing Congleton Borough Council as successors of Sandbach Urban District Council, were represented by Mr R H Flint, the Deputy Borough Secretary and their Solicitor.

The land in this Register Unit is a strip extending from a point on the south-east side of the (new) Town Hall and Market to a point on the north side of the Black Bear Inn, not far from Market Square (the old market area). The registration was made on the application of Mr C C Massey. The grounds of the objection are that the land was not common land at the date of registration.

Mr Flint said (in effect):- The land is an area of the town known as the Crosses; the historic centre of the town. The land, in the Register called "the Black Bear Opening" is a walkway between buildings: a convenient break through from one important to another important part of the town. There was as far as he knew no reason to suppose that it came within the definition of "common land" in the 1965 Act.

In the absence of any evidence in support of the registration, I refuse to confirm it.

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 17th —

day of February — 1982

a. a. Baden Fuller

Commons Commissioner



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 16th — day of November — 1979.

a. a. Baden Fuller

Commons Commissioner