



COMMONS REGISTRATION ACT 1965

Reference No.5/U/38

In the Matter of The Waste, Waste Lane  
Near Kelsall Delamere Vale Royal D

DECISION

This reference relates to the question of the ownership of land known as The Waste, Waste Lane near Kelsall Delamere Vale Royal D being the land comprised in the Land Section of Register Unit No.CL.44 in the Register of Common Land maintained by the Cheshire 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 Vale Royal District 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 Chester on 26th January 1977.

Mr T F Wakeford, Solicitor for the Vale Royal District Council appeared. This land was the subject of an allotment by the Delamere Award 1816-1817 made in terms similar to that in the case of Unit No.CL.22 and Mr Wakeford did not seek to distinguish this reference from that reference 5/U/26.

For these reasons I am satisfied that Vale Royal District Council is the owner of the land, and I shall accordingly direct the Cheshire County Council, as registration authority, to register Vale Royal District 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 21<sup>st</sup> day of February 1977

*G. A. Little*

Commons Commissioner