



In the Matter of Leasowe Common, Wallasey, Wirral

DECISION

This reference relates to the question of the ownership of land known as Leasowe Common, Wallasey, Wirral, being the land comprised in the Land Section of Register Unit No. CL.1 in the Register of Common Land maintained by the Merseyside 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 no person claimed to be the freehold owner of the land in question and no one 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 20 November 1984. At the hearing the Wirral Metropolitan Borough Council was represented by Mrs C. Fraser, Solicitor.

The western half of the land in question was the subject of a scheme made 29 July 1937 by the former Wallasey Corporation under the Commons Act 1899, and the eastern half was dedicated to the use and recreation of the public as an open and unenclosed space for ever by section 57 of the Hoylake and West Kirby Improvement Act 1900 (63 & 64 Vict., c. lxxix) and is now under the management of the Wirral Metropolitan Borough Council by virtue of section 120 of the County of Merseyside Act 1980 (1980, c. x). There has, however been no vesting of the land in the Metropolitan Borough Council.

On this 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 regulations 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

29th

day of

November 1984

Chief Commons Commissioner