



COMMONS REGISTRATION ACT 1965

Reference No. 231/U/40

In the Matter of The Pound, Much Wenlock
Bridgnorth D., Salop

DECISION

This reference relates to the question of the ownership of land known as The Pound containing about 143 square yards, Much Wenlock, Bridgnorth District being the land comprised in the Land Section of Register Unit No. CL.99 in the Register of Common Land maintained by the Salop 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 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 Shrewsbury on 18 February 1975. At the hearing Much Wenlock Town Council were represented by Mr. A.G. Matthews, the Town Clerk, and Bridgnorth District Council were represented by Mr. F.R.P. Boughey, one of their employees.

Mr. Matthews, who first went to Much Wenlock in 1939, who was on 1 April 1946 ~~was~~ appointed Town Clerk of Wenlock Borough Council, who on 1 April 1966 continued as clerk when they became Wenlock Rural Borough Council, and who on 1 April 1974 continued as Town Clerk when they became Wenlock Town Council, in the course of his evidence said (in effect) :- The land ('the Unit Land') comprised in this Register Unit is south of the A458 main Shrewsbury - Bridgnorth Road, is bounded on its east, south and west sides by stone walls and bounded on its north side by a brook which separates the Unit Land from the main road; access from the road is by a bridge over the brook and thence through a small gate in the east wall. On the Unit Land there is a notice board : "THE POUND. Town Council Much Wenlock"; when he first went there, there was a similar notice board : "THE POUND. Wenlock Borough Council", and there has been such a notice board ever since. He had made inquiries about ownership of the Wenlock Abbey Estate, who are the main land owners in Much Wenlock, and own the Pound Farm, which includes the land adjoining the Unit Land; their Estate Plan does not include the Unit Land. In the Council Archives, there is an old valuation 1841 Madeley Union, in which the Pound is valued nil, stated to be 7 perches, and the Proprietor/Tenant/Owner named as Watkin William Wynne (who was the then Lord of the Manor). Ever since he (Mr. Matthews) came to Much Wenlock, the Council have kept the Unit Land tidy, keeping down the weeds and keeping the brook in order. On the Ordnance Survey map, the Unit Land is marked "Old Pound"; it is of local historic interest; up to 1939 there was a local cattle market, and it is probable that cattle straying from the market would have been impounded on the Unit Land.



-2-

Three days after the hearing, I inspected the Unit Land. It appears to be public land; and the notice board appears to proclaim to all not only that it is a pound, but also that the Council are in possession of it. On the evidence outlined above, I conclude that the Council have at least, since 1939, been in possession, and that it is practically certain that their possession will not be disturbed.

Possession in such circumstances is equivalent to ownership, and I am therefore satisfied that the Council are the owners of the Unit Land, and I shall accordingly direct the Salop County Council, as registration authority to register Much Wenlock Town Council as the owners 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 26th — day of February 1975

A. A. Baden Fuller

Commons Commissioner