



COMMONS REGISTRATION ACT 1965

Reference No. 31/U/7

In the Matter of the Village Green,  
Woore, North Shropshire D., Salop

DECISION

This reference relates to the question of the ownership of land known as the Village Green containing about 0.29 of an acre, Woore, North Shropshire District being the land comprised in the Land Section of Register Unit No. VG.3 in the Register of Town or Village Greens 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 19 February 1975. At the hearing Woore Parish Council were represented by Mr. J.C. Baker, their ~~chairman~~ chairman.

Mr. Baker, who has lived in the Parish all his life (60 years), and been a member of the Parish Council for the last 6 years, in the course of his evidence produced the Minute Book of the Parish Council for the period April 1916 to April 1959. This book contained entries which Mr. Baker said all related to the land ("the Unit Land") comprised in this Register Unit and which were to the following effect :- 14 June 1923, resolved that local men be asked to tender for levelling the Village Green, removing gate and posts, providing and fixing fencing, and refixing gate and posts. 3 July 1923, resolved Mr. Rowley's tender (£20) be accepted. 24 July 1923, the meeting having been summoned to receive the deeds for completing the purchase of the piece of land adjoining the Village Green, to examine the Village Green, and to pay for the levelling as per agreement, resolved that a cheque be made payable to the Solicitors for £13.10s0d in payment of the purchase of the land and their costs of preparing the deed and that £20.10s0d be paid to Mr. Rowley for levelling the Village Green. 5 May 1925, resolved that a notice board be erected on the Village Green with the words "Woore Parish Council. Childrens Recreation Ground" inscribed. 21 March 1929, resolved that Mr. John Hampson's letter be copied in the Minute Book and that his claim for a right of way be sanctioned; the letter was "I am writing to ask you if I may claim a right of road out of my field through the Village Green".

Mr. Baker said (in effect) :- He remembered the Unit Land before 1925 as an eyesore; people tipped ashes on it and it was a general Village garbage dump. After 1925 it was (as described in the Minutes) levelled fenced in and seeded with grass; village children played there; the notice board was erected and remained there until (he thought) some time during the 1939-45 war. In old times the Unit Land had been



-2-

used by amusement caterers (roundabouts etc) and also for 5 November bonfires. During the 1939-45 war, a building was erected on it by the War Office (the foundations are still visible). Since the 1939-45 war, little has been done to the Unit Land, the gate has gone, the fence is dilapidated, and it is untidy (there is some rubbish on it). About 20 years ago, the owner of an adjoining farm complained to the Parish Council that the Unit Land was not properly fenced, cattle strayed on to it off the road, and were injured by the bits of material and old iron which were laying about there. About 4 years ago the Parish Council paid for the tidying up of one of the hedges which had then become overgrown. Recently, some old rubble has been tipped on the land apparently to form a road across it to provide access to some buildings now being erected. He could not identify "the piece of land adjoining the Village Green" purchased for £13.10s in 1923. In answer to my question as to whether the Unit Land is locally regarded as being Parish Property or as being in the ownership of the Parish Council, he summed the matter up by saying that the Parish Council had never been officially owner but they had accepted responsibility for it.

After the hearing I inspected the Unit Land.

In the particular circumstances of this case, it may not be of much practical consequence whether I am satisfied that the Parish Council is the owner and then in accordance with subsection (2) of section 8 of the Act of 1965 direct their registration as owner, or I am not so satisfied and (there was no evidence that anybody else could be the owner) in accordance with subsection (3) of section 8 direct registration of the Parish Council as owner. It seems to me that the evidence outlined above shows that for about 15 years before the 1939-45 war, the Parish Council were in possession of the Unit Land and were then reputed to be the owner; accordingly I conclude that in 1939 they had a good possessory title. Nothing has happened since 1939 to deprive them of the title they so acquired.

For these reasons, I am satisfied that the Parish Council is the owner of the Unit Land, and I shall accordingly direct the Salop County Council as registration authority to register Woore Parish 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 26<sup>th</sup> —

day of February 1975

*a. a. Baden Fuller*

Commons Commissioner