

COMMONS REGISTRATION ACT 1965



Reference No. 233/U/65

In the Matter of Land at Junction of  
Church Road and Brook Side,  
Rolleston-on-Dove, Staffordshire

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DECISION

This reference relates to the question of the ownership of land at Junction of Church Road and Brook Side, Rolleston-on-Dove, being the land comprised in the Land Section of Register Unit No. VG 26 in the Register of Town or Village Greens maintained by the Staffordshire 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 Rolleston Parish 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 Hanley, Stoke-on-Trent on 12 January 1979.

Mr R A Woodbine, Clerk to the Parish Council appeared on its behalf, and no other person appeared.

The Parish Council Minute books for the period 1920-1971 were produced. Apparently the land may have formed part of the Rolleston Manor Estate: when this was sold by auction it was not included in the property to be sold and a letter dated 19 September 1920 from the then owner of the estate to the Parish Council stated that he made no claim to the land, and the Council resolved to take it over. The land was fenced and the Council has maintained and replaced the fence and kept the gate locked and has at its own expense erected a bus shelter, and no challenge has been made to its continued management.

On this evidence I am ~~not~~ satisfied that the Parish Council has a possessory title and is the owner of the land. I shall accordingly direct the Staffordshire County Council, as registration authority, to register Rolleston 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

15<sup>th</sup>

day of

February

1979

*L. J. Morris Smith*

Commons Commissioner