



COMMONS REGISTRATION ACT 1965

Reference No.33/U/20

In the Matter of Pelsall Common,
Pelsall, Aldridge-Brownhills U.D.,
Staffordshire

DECISION

This reference relates to the question of the ownership of land known as Pelsall Common, Pelsall, Aldridge-Brownhills Urban District being the land comprised in the Land Section of Register Unit No.CL.38 in the Register of Common Land 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 Aldridge-Brownhills Urban 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 Stafford on 22 May 1973. The hearing was attended by Aldridge-Brownhills Urban District Council who were represented by Mr. P. E. Allery, principal assistant in their clerk's department.

Mr. Allery in the course of his evidence produced (1) a conveyance dated 7 August 1957, (2) a copy of a scheme made on 27 April 1960 under the Commons Act 1899, and (3) a lease dated 16 June 1897.

By the conveyance after reciting that (1) the Church Commissioners for England were Lords of the Manor of Pelsall and as such Lords entitled to the freehold in the land thereafter described, (2) by the said lease the Commissioners demised unto the Pelsall Parish Council the said land for 999 years from 25 March 1897 and (3) by the Staffordshire Review Order 1934 the property of the Parish Council was vested in the Urban District Council of Aldridge, it was witnessed that the Commissioners conveyed to the said Council "the waste or common land of the said Manor known as Pelsall Common".

Mr. Allery, who was from 1960 to 1966 employed by the Aldridge Urban District Council and thereafter by its successor the Aldridge-Brownhills Urban District Council, identified the land delineated on the plan annexed to the conveyance with the land ("the Unit Land") comprised in this Register Unit (save that the Unit Land does not include the highways or a small piece recently sold). The Unit Land is open grass land in the middle of Old Pelsall, and is a valuable amenity. The southern part is used for recreation: playing football, picnicing, exercising dogs and so forth; the northern part was a formal garden, but following vandalism, it was landscaped. The Unit Land is managed by the Urban District Council under the said scheme made under the 1899 Act.

On the evidence summarised above, I am satisfied that the Urban District Council is the owner of the Unit Land, and I shall accordingly direct the Staffordshire County Council, as registration authority, to register Aldridge-Brownhills Urban District Council as the owner of the Unit Land under section 8 (2) of the 1965 Act.



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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 7th day of June 1973

a. a. Baden Fuller

Commons Commissioner