



COMMONS REGISTRATION ACT 1965

Reference No. 5/U/5

In the Matter of Cheadle Green (at the junction of Manchester Road and Stockport Road), Cheadle, Stockport Metropolitan Borough, Greater Manchester

DECISION

This reference relates to the question of the ownership of land known as Cheadle Green (at the junction of Manchester Road and Stockport Road) Cheadle, Stockport Metropolitan Borough (formerly Cheadle and Gatley Urban District) being the land comprised in the Land Section of Register Unit No. VG.7 in the Register of Town or Village Greens maintained by the Greater Manchester (formerly Cheshire) 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 Cheadle and Gatley Urban District Council claimed to be the freehold owner of the land in question and no other person claimed to be the owner or 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 Salford on 10 December 1975. At the hearing Stockport Metropolitan Borough Council were represented by Mr R. Burrows one of their legal assistants.

Mr Burrows in the course of his evidence produced a conveyance dated 31 December 1932 by which after reciting (in effect) that Mr James Watt was Lord of the Manor of Cheadle Bulkley was seised of Cheadle Green thereby conveyed for an estate in fee simple subject to the Cheadle Inclosure Act 1810 (50 Geo.3.c.c.lx) by section 17 of which it was provided that the Green should at all times thereafter remain open and unenclosed for the public accommodation and convenience of the inhabitants of Cheadle, it was witnessed that Mr Watt conveyed Cheadle Green (therein said to contain 1745 square yards and to be delineated on the plan drawn therein) to the Cheadle and Gatley Urban District Council, and that the Council covenanted with Mr Watt as to the maintenance preservation and use of the Green as therein set out.

Mr Burrows described the Green:- The carriage way on the 1932 plan marked as crossing it, is now a footpath. The "Literary Institute" so marked is now the Library. The Green itself is grass with some shrubs and trees. The Urban District Council and the Borough Council as their successors have looked after it in accordance with the covenants in the 1932 conveyance.

On this evidence I am satisfied that the Borough Council are the owners of the land, and I shall accordingly direct the Greater Manchester County Council, as registration authority, to register Stockport Metropolitan Borough 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 12th day of December 1975

a. a. Baden Fuller

Commons Commissioner