



In the Matter of Assley, Hareley, Hawkesbury, and
Inglestone Commons, Hawkesbury, Avon (No. 1)

DECISION

This dispute relates to the registration at Entry No. 1 in the Land section of Register Unit No. CL 38 in the Register of Common Land maintained by the Avon County Council and is occasioned by Objection No. 92 made by the former Gloucestershire County Council and noted in the Register on 31 March 1971.

I held a hearing for the purpose of inquiring into the dispute at Bath on 21 July 1981. The hearing was attended by Mr V H Harris, solicitor, on behalf of Mr J W Blakeney, Mr D J Blakeney, and Mr J W Blakeney, junior, the applicants for the registration at Entry No. 66 in the Rights section of the Register Unit (Mr J W Blakeney and Mr D J Blakeney being also the applicants for the registrations at Entry Nos 67 and 69 respectively), and Mr F E M Moreton, the applicant for the registration at Entry No. 68, in the Rights section, and by Mrs D Jenkins-Evans of the Commons Registration Section of the Avon County Council.

The Objection relates solely to the inclusion in the registration of certain roads and paths on the ground that as highways they do not fall within the definition of "common land" in s.22(1) of the Commons Registration Act 1965. It was agreed that with one small exception these roads and paths should not be included in the Register Unit.

I therefore confirm the registration with the following modification; namely, the exclusion of county highways routes 3/290, 51908, 51909 and 41946, being the carriageway width of such highways, and the public rights of way numbered LE 25, 28, 30, 37, and 40.

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

6th

day of

August

1981

Chief Commons Commissioner