



In the Matter of Burrington Ham, Blackdown, and
Langford Green, Burrington, and Havyatt Green, Wrington,
Avon (No. 2)

DECISION

These disputes relate to the registrations at Entry Nos 1 - 37 in the Rights section of Register Unit No. CL 37 in the Register of Common Land maintained by the former Somerset County Council and are occasioned by Objection No. 0/177 made by the former County Council and noted in the Register on 21 April 1971, Objection No. 0/167 made by Sir John Wills, Bt and noted in the Register on 5 January 1971, Objection No. 0/176 made by Sir John Wills and noted in the Register on 21 April 1971, and the conflicting registrations at Entry Nos 1 and 36.

I held a hearing for the purpose of inquiring into the dispute at Weston-super-Mare on 18 October 1978. The hearing was attended by Mr M C Wilson, the Vice-Chairman of the Burrington Parish Council, Mr T J Driver, an officer of the Somerset County Council and Mr R Morris, solicitor, on behalf of Mr and Mrs E E G Stevens, the successors in title to Mr and Mrs A J Alderson, the applicants for the registration at Entry No. 29. Mr Wilson informed me that he had been asked to make known to me the observations of Sir John Wills.

Objection No. 0/177 relates solely to the inclusion in the Register Unit of a very small area. This area I excluded when dealing with the dispute relating to the Land Section of the Register Unit.

The conflict between the registrations at Entry Nos 1 and 36 arises because they both relate to the same dominant tenement, the registration at Entry No. 1 having been made on the application of Sir John Wills as owner and that at Entry No. 36 having been made by Mr E K Weaver as tenant.

Objection No. 0/167 relates to the registrations at Entry Nos 25 and 36. There was produced to me a document dated 28 February 1977 signed by Professor E K Tratman, the applicant for the registration at Entry No. 25 and by Mr Weaver asking me to refuse to confirm both these registrations. This I do.

Objection No. 0/176 relates to the registrations at Entry Nos 12, 29, 31 and 37. The grounds of this Objection were that each of the applications related to only part of the land comprised in the Register Unit, whereas it should have related to the whole.

In these circumstances I refuse to confirm the registrations at Entry Nos 25 and 36, I confirm the registrations at Entry Nos 12, 29, 31, and 37 with the modification necessary to give effect to Objection No. 0/176, and I confirm the registrations at Entry Nos 1 to 11, 13 to 24, 26 to 28, 30 and 32 to 35 without modification.



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 3rd day of November 1978.

A handwritten signature in cursive script, appearing to read 'C. J. G. G. G.', written over a horizontal line.

CHIEF COMMONS COMMISSIONER