



In the Matter of Berrow Village Green
Berrow Sedgemoor D. Somerset.

DECISION

These disputes relates to the registration at Entry No.1 in the Land Section of Register Unit No. V9 89 in the Register of Town or Village Greens maintained by the Somerset County Council and are occasioned by Objection No. 0/802 made by the Somerset County Council and noted in the Register on 29th August 1972 and the conflicting registration at Entry No.1 in the Land section of Register Unit No. CL 228 in the Register of Common Land maintained by the Council.

I held a hearing for the purpose of inquiring into the disputes at Taunton on 20th May 1975.

The hearing was attended by Mr. W.A. Warner, clerk to the Berrow Parish Council, Mr. Edwards on behalf of the Somerset County Council and Mr. Williams of Messrs. Alletson & Partners solicitor for Mr. Frost whose application for common rights had occasioned the Entry No.1 in the Land Section of the Register Unit No. CL.228.

My decision on the references relating to Unit No. CL228 is to the effect that the land in question is NOT common land and Mrs. Piper and Mr. Warner who gave evidence satisfied me that the land in question, subject as hereinafter mentioned is a village green as defined in Section 22(1) of the Commons Registration Act 1965.

Mr. Edwards objected to the inclusion in the village green of the metalled footpath on its eastern boundary and the footpath mentioned in the certificate of the Petty Sessional Division at Axbridge dated 2nd May 1968 and Mr. Warner agreed to the exclusion of these footpaths.

For these reasons I confirm the registration modified so as to exclude the footpath on its Eastern boundary and the footpath mentioned in the said certificate.

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.....^{5th}.....day of.....*June*.....1975

C. A. Settle
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Commons Commissioner.