



COMMONS REGISTRATION ACT 1965

Reference No. 260/D/153

In the Matter of Bridgegate Common, Siston,
Avon (No.2)

DECISION

This dispute relates to the registration at Entry No. 2 in the Rights Section of Register Unit No. CL.69 in the Register of Common Land maintained by the Avon County Council and is occasioned by Objection No. 351 made by the former Warmley Rural District Council and noted in the Register on 18 May 1972.

I held a hearing for the purpose of inquiring into the dispute at Bath on 3 June 1980. The hearing was attended by Mr J R Sawyer, the successor in title of Mr P Price, the applicant for the registration, and by Mr J R Hughes, Solicitor, on behalf of the Kingswood District Council, the successor authority of the Objector.

The registration is of the right to graze 10 cows or horses, or 20 sheep over the whole of the land comprised in the Register Unit attached to Elm Farm. The grounds of the Objection are that the right should not include horses or sheep.

Mr Sawyer did not know Elm Farm before he purchased it in February 1980. He endeavoured to prove his case by the evidence of Mr R W G Pyle. Mr Pyle at first said that sheep and horses were not allowed on the land comprised in the Register Unit under a Scheme of Management made in 1914, but he later said that there had been some carthorses on the land in his time and that some of these horses would have been from Elm Farm.

This evidence is not sufficient to make out a claim to a prescriptive right to graze 10 horses or 20 sheep.

For these reasons I confirm the registration with the following modification; namely, the deletion of the words " or horses or 20 sheep".

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

19th

day of

June

1980

Chief Commons Commissioner