



COMMONS REGISTRATION ACT 1965

Reference No. 32/D/4

In the Matter of Churchill Batch,
Churchill, Somerset (No.3)

DECISION

This dispute relates to the registration at Entry No.1 in the Rights Section of Register Unit No.V.G.35 in the Register of Town or Village Greens maintained by the Somerset County Council and is occasioned by the conflicting registration at Entry No.1 in the Land Section of Register Unit No.C.L.3 in the Register of Common Land maintained by the Council.

I held a hearing for the purpose of inquiring into the dispute at Taunton on 1st November 1972. The hearing was attended by Mr. G.T. Hutchins, solicitor, for Mr. N.W. Warren, the successor in title of the late Mr. H.C. Wookey, who registered a right of pasture over the land in question in the Register of Common Land, the entry of which right is deemed also to be made in the Register of Town or Village Greens, and by Mr. Robert Smith, solicitor, for the Churchill Parish Council, which is deemed by virtue of section 5(7) of the Commons Registration Act 1965 to have objected to the deemed registration of the right of pasture in the Register of Town or Village Greens.

In spite of the apparent complexity of all this deeming, the resolution of the issue in this dispute is a simple matter. Having decided in In the Matter of Churchill Batch (No.1) that the land in question is not a town or village green, it necessarily follows that I must refuse to confirm the registration of the right of pasture in the Register of Town or Village Greens.

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 13th day of November 1972


Chief Commons Commissioner