



In the Matter of Felton Hill or Felton Common,
Winford, Avon (No. 1)

DECISION

These disputes relate to the registration at Entry No. 1 in the Land section of Register Unit No. CL 9 in the Register of Common Land maintained by the former Somerset County Council and are occasioned by Objection No. 0/53 made by the late Mr W E G Rendal and Objection No. 0/70 made by the Rev. Prebendary H L Franklin and both noted in the Register on 20 August 1970.

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 P G Webb, the Chairman of the Winford Parish Council. The Objections relate to the inclusion of two small areas in the Register Unit. Mr Webb informed me that the Parish Council did not oppose the exclusion of the area the subject of Objection No. 0/70, which was conveyed by the Parish Council to Prebendary Franklin by a deed dated 15 November 1968 under the provisions of the Gifts for Churches Act 1811 and has since been consecrated for burials.

Mr Webb informed me that the area the subject of Objection No. 0/53 was at one time a private garden, but had not been used as such for the last 30 or 40 years and he asked that it should remain in the Register Unit. In the absence of any appearance by anyone claiming to be the successor in title to Mr Rendal, my proper course appears to be to leave this area within the Register Unit.

For these reasons I confirm the registration with the following modification:- namely the exclusion of the land the subject of Objection No. 0/70.

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 10th day of November 1978.

CHIEF COMMONS COMMISSIONER