



In the Matter of Five Areas of Land on the
Outskirts of Breach Hill Common, Chew Stoke,
Avon (No. 2)

DECISION

This dispute relates to the registrations at Entry Nos 1, 2, and 3 in the Rights section of Register Unit No. CL 164 in the Register of Common Land maintained by the former Somerset County Council and is occasioned by Objection No. 0/794 made by the former County Council and noted in the Register on 21 August 1972.

I held a hearing for the purpose of inquiring into the dispute at Bath on 13 July 1978. The hearing was attended by Mr A N Read, the applicant for the registration at Entry No. 3, and by Mr A W James, an officer of the Avon County Council, the successor authority of the Objector.

The Objection relates only to a strip of land which forms the site of a public footpath. Mr Read agreed that there is a public right of way along this strip of land, which therefore falls outside the definition of "common land" in section 22(1) of the Commons Registration Act 1965.

Having by my decision in In the Matter of Five Areas of Land on the Outskirts of Breach Hill Common, Chew Stoke (No. 1) (1978), Ref. No. 260/D/48 met the Objection by confirming the registration in the Land section of the Register Unit with the exclusion of the strip of land forming the site of the footpath, I confirm these registrations.

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 31st day of

July

1978.

CHIEF COMMONS COMMISSIONER