



## COMMONS REGISTRATION ACT 1965

Reference No. 69/U/1

In the Matter of land at the Snowdon  
Road/Manor Road Junction, Bristol Avon

DECISION

This reference relates to the question of the ownership of land containing about 1 rood 14 poles and situated at the junction of Snowdon Road and Manor Road, Bristol being the land comprised in the Land Section of Register Unit No. CL.2 in the Register of Common Land maintained by the Avon County Council of which no person is registered under section 4 of the Commons Registration Act 1965 as the owner.

When making this reference the Corporation of the City and County of Bristol claimed that there was a conveyance showing that the Corporation owned part of the land in question. Following upon the public notice of this reference no person claimed to be the freehold owner of the land and no person claimed to have information as to its ownership.

I held a hearing for the purpose of inquiring into the question of the ownership of the land at Bristol on 19 March 1975. At the hearing, the City Council of Bristol were represented by Mr. A.B. Pitt, assistant solicitor in the City Clerks Department.

Mr. W A Knowles, who was born in Bristol 65 years ago, who has lived there all his life, who is now Chief Conveyancing Clerk of the City Council and who has been employed by them and their predecessors, the Corporation of the City and County of Bristol for the last 16 years, in the course of his evidence produced an indenture dated 2 December 1901 by which land was conveyed to the Lord Mayor Aldermen and Burgesses of the City of Bristol. Mr. Knowles said ( in effect ) :- The junction of Snowdon Road and Manor Road now appear for the most part different from what is shown on the plan annexed to the 1901 indenture. Both on the 1901 plan and now the junction is a triangular open space along the north side and southwest side of which run Manor Road and Snowdon Road respectively. Now there is also a road (joining the other two) along the east side; the land ("the Unit Land") comprised in this Register Unit is the land enclosed by these three roads; it is grass land with some trees. In 1901, according to the indenture plan, there was adjoining the east side of the road junction open space a large pond called "Parkers Pool", and the road joining Manor Road and Snowdon Road ran across the middle of this open space (and across what is now grass land part of the Unit Land) by the northwest side of this pond. He (Mr. Knowles) had never seen any pond there, so it must have been filled up before he could remember.

By the indenture, Mr. C.C. Harding conveyed First two pieces of land on the north side of The Grange (being strips east of the Unit Land and south of Manor Road required I suppose for road widening) and "Secondly ALL the estate right title interest claim and demand (if any) of the said ... Harding in to or over the land covered with water called Parkers Pool"; by the indenture the Corporation agreed with Mr. Harding (among other things) that they would "fill up Parkers Pool aforesaid and form and construct a roadway and footpath over it abutting upon the Grange", but this agreement was subject to the proviso that the Corporation should not be bound "to complete the filling up of the said Pool or the construction of the said Roadway and footpath in case any legal proceedings shall be commenced against them to prevent the filling up of the said Pool or the construction of the said Roadway or footpath or to recover damages for trespass and a good title to the said land coloured blue (Parkers Pool was so coloured) shall be shown to the satisfaction of the Corporation."



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Although the 1901 indenture shows that there was then doubt as to the title of Mr. Harding to the pond, it also shows I think that those concerned then considered that the pond was probably Parish property which the Corporation could (because all Parish property was by operation of law vested in them) deal with as owners, at least until somebody claimed that it was not Parish property. I infer that the pond was filled up as contemplated by the indenture without any person claiming that it was not Parish property or that such works were otherwise illegal. No sensible ownership distinction can I think be made between the site of the pond and the remainder of the Unit Land.

For these reasons I am satisfied that the City Council is the owner of the land, and I shall accordingly direct the Avon County Council as registration authority, to register The City Council of Bristol as the owner of the land under section 8(2) of the Act of 1965.

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 7<sup>th</sup> — day of April — 1975

a. a. Baden Fuller

Commons Commissioner