



In the Matter of Land to the East of Knowle Hill,
Chew Magna, Avon.

DECISION

This reference relates to the question of the ownership of land to the east of Knowle Hill, Chew Magna, being the land comprised in the Land Section of Register Unit No. CL 166 in the Register of Common Land maintained by the former Somerset County Council of which no person is registered under section 4 of the Commons Registration Act 1965 as the owner.

Following upon the public notice of this reference Mrs S V Bates claimed to be the freehold owner of the land in question and no other 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 Bath on 14 July 1978.

At the hearing Mrs Bates appeared in person.

Mrs Bates is the owner of some land in the vicinity of the land in question. This land was conveyed to Mrs Bates and her late husband in 1920. Mrs Bates has some old deeds, one of them dated 1693, and she relied on the words "10 acres of woodland and common" in the parcels, saying that the land the subject of this reference, being the only common in the vicinity, must be part of the 10 acres referred to in her deeds. Mrs Bates did not, however, read all the relevant words. The complete passage is "10 acres of woodland and common of pasture for cattle". It is therefore clear that the 10 acres consisted solely of woodland and that the word "common" did not relate to an area of land, but to a right to pasture cattle on some land, which may well have been the land comprised in the Register Unit.

Therefore on this evidence I am not satisfied that any person is the owner of the land, and it will therefore remain subject to protection under section 9 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

3rd

day of

August

1978

C. J. Quilley

CHIEF COMMONS COMMISSIONER