



In the Matter of The Village Green, Englishcombe,
Avon

DECISION

This reference relates to the question of the ownership of land known as The Village Green, Englishcombe, being the land comprised in the Land Section of Register Unit No. VG 100 in the Register of Town or Village Greens 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 no person claimed to be the freehold owner of the land in question and no one 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 13 July 1978.

At the hearing the Englishcombe Parish Council was represented by Mrs R M Ashdown, its Clerk.

Mrs Ashdown informed me that she had no evidence as to the ownership of the land in question, which has been kept tidy by the Parish Council for some time. Merely keeping land tidy does not, in my view, constitute taking possession of it.

In the absence of any evidence I am not satisfied that any person is the owner of the land, and I shall accordingly direct the Avon County Council, as registration authority, to register the Englishcombe Parish Council as the owner of the land under section 8(3) 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

31st

day of

July

1978


CHIEF COMMONS COMMISSIONER