



COMMONS REGISTRATION ACT 1965

Reference Nos. 13/U/163
13/U/194

In the Matter of (1) Charlton Common, and
(2) land bordering Fishpool Hill, Charlton, Aldmondsbury,
North Avon District, Avon

DECISION

These references relate to the question of the ownership of (1) land known as Charlton Common containing about 4.426 acres and (2) land bordering Fishpool Hill, Charlton containing about 2.32 acres, both in Aldmondsbury, North Avon District being the lands comprised in the Land Section of Register Unit (1) No. CL. 289 and (2) No. CL. 415 respectively in the Register of Common Land maintained by the Avon County Council (formerly Gloucestershire 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 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 10 March 1976. At the hearing (1) Mr K Huddleston, on whose application Entry No. 1 in the CL. 289 Rights Section of a right attached to Cedar Lodge to graze 2 horses and mowing; the grass for winter feeding had been made, attended in person; and (2) Dr B J F Coles, on whose application Entry No. 2 in the CL. 289 Rights Section of a right attached to Cedar House to graze 2 ponies had been made, also attended in person.

Dr Coles described the lands. The CL. 289 land is bounded on the north by the Brabazon Runway built in about 1947; a large part of what was then Charlton Common was taken for its construction. Neither he nor Mr Huddleston could offer any evidence of the ownership of either of these lands.

In the absence of any evidence I am not satisfied that any person is the owner of the lands and they 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 16th day of March 1976

A. A. Bowen *Baker*