



COMMONS REGISTRATION ACT 1965

Reference Nos. 260/D/11  
260/D/12

In the Matter of Additional pieces  
of Frenchay Common, Northavon, D., Avon

DECISION

These disputes to the registrations at Entry No. 1 in the Land Section and at Entry No. 1 in the Rights Section of Register Unit No. CL.315 in the Register of Common Land maintained by the Avon County Council and is occasioned by Objection No. OB 71 made by Mr. Charles Henry Marsh and noted in the Register on 22 April 1971.

I held a hearing for the purpose of inquiring into the disputes at Bristol on 20 March 1975. At the hearing Winterbourne Parish Council were represented by Mr. E.M.K. Mead their chairman and Mr. D. Holmes their clerk.

The land comprised in this Register Unit is in seven pieces which together contain about 2.209 acres; they are all situated near a much larger area of land, for the most part north and east of St. John the Baptist Church, Frenchay, and known as Frenchay Common. One of these seven pieces is a strip on the east side of Beckspool Road and the upper part of Frenchay Hill and extending for about 450 yards from the junction with Cleeve Road to the junction with Church Road. The Entry in the Rights Section was made on the application of Mr. A.C.J. Isaac, and states that the registration at entry No. 3 of register unit No. CL.105 includes the right of common claimed over part of the land comprised in this register unit lettered A, B and C in the register map; the said strip is lettered C. The grounds stated in the Objection are :- "that the land coloured pink on the accompanying plan ... is not common land"; the southern part (about 75 yards long) of the said strip is so coloured.

In a letter dated 24 February 1975, J W Ward and Son Solicitors of Bristol, on behalf of Mr. Marsh, stated that he had withdrawn his objection, and with a letter dated 14 March 1975, they enclosed requests signed by Mr. Marsh to the Commons Commissioner to confirm the registrations. Mr. Mead said (in effect):- The land mentioned in the Objection was the subject of proceedings in the County Court between the Parish Council and Mr. Marsh; he owned land to the southeast; in the proceedings the Parish Council successfully objected to an entrance to such land crossing over the said strip. The remainder of the area known as Frenchay Common has been registered under the 1965 Act and is comprised in another Register Unit (CL.105).

In the foregoing circumstances I confirm both the said registrations without any modification.

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 27<sup>th</sup> ————— day of March ————— 1975

*a. a. Baden Fuller*

Commons Commissioner