



In the Matter of Carlingcott Green, Peasedown St John,
Avon

DECISION

This reference relates to the question of the ownership of land known as Carlingcott Green, Peasedown St John, being the land comprised in the Land Section of Register Unit No. VG 102 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 Peasedown St John Parish Council was represented by Mr W G Adams, its Clerk.

In addition to cutting the grass and generally keeping the land tidy, the Parish Council put a seat on the land at sometime before 1949 and has since maintained it. More than 20 years ago the Parish Council erected a lamp-post on the land.

In my view the Parish Council has been in uninterrupted possession of the land for a sufficient period to have acquired a possessory title to it.

On this evidence I am satisfied that the Parish Council is the owner of the land, and I shall accordingly direct the Avon County Council, as registration authority, to register the Parish Council 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

31st

day of

July

1978

CHIEF COMMONS COMMISSIONER