



COMMONS REGISTRATION ACT 1965

Reference No. 69/U/2

In the Matter of Gore's Marsh,
Bristol, Avon

DECISION

This reference relates to the question of the ownership of land known as Gore's Marsh Bristol being the land comprised in the Land Section of Register Unit No. VG.4 in the Register of Town or Village Greens maintained by the Avon 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 19 March 1975. At the hearing the City Council of Bristol were represented by Mr. A.B. Pitt, assistant solicitor in the City Clerks Department.

Mr. W.A. Knowles who was born in Bristol 65 years ago, who has lived there all his life who is now the Chief Conveyancing Clerk of the City Council and who has been employed by them and their predecessors, the Corporation of the City and County of Bristol for the last 16 years, in the course of his evidence produced :- (i) a scheme dated 15 October 1902 made under the Commons Act 1899 for the regulation of Gores Marsh and approved by the Board of Agriculture on 18 December 1902, (ii) the plan referred to in the scheme, and (iii) Byelaws made under the scheme on 20 October 1903. Mr. Knowles said (in effect) :- The land comprised in this Register Unit which according to the Register contains about 6.4 acres ^{and} which he identified with the land shown on the said plan, is now being and has ever since he can remember been looked after by the City Council and their predecessors, the Corporation of the City and County of Bristol; he understood that they had done this for a very long time. The land is surrounded by the Smyth Estate, much of which was purchased many years ago by the Lord Mayor Aldermen and Burgesses of Bristol; he had seen the conveyance and he was almost certain that it included the Unit Land.

On this evidence I conclude that the City Council are in possession of the Unit Land and that it is practically certain that their possession will not be disturbed. Possession in such circumstances is equivalent to ownership; I am therefore satisfied that the City Council is the owner of the land, and I shall accordingly direct the Avon County Council, as registration authority, to register The City Council of Bristol as the owners 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



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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 7th ———

day of April ———

1975.

a. a. Baden Fuller

Commons Commissioner