

COMMONS REGISTRATION ACT 1965



Reference No 260/D/55

In the Matter of Land South of Rickford,
Burrington, Avon (No. 1)

DECISION

This dispute relates to the registration at Entry No. 1 in the Land section of Register Unit No. CL 165 in the Register of Common Land maintained by the former Somerset County Council and is occasioned by Objection No. O/169 made by Sir John Wills, Bt and noted in the Register on 17 November 1970.

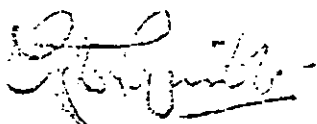
I held a hearing for the purpose of inquiring into the dispute at Weston-super-Mare on 18 October 1978. The hearing was attended by Mr H C Wilson, the Vice-Chairman of the Burrington Parish Council and Clerk to the Conservators of Burrington Common. Mr Wilson informed me that he was authorised also to express the views of the Objector.

The land comprised in this Register Unit is a small area adjoining the north east corner of Burrington Ham, which is comprised in Register Unit No. 37. The registration was made in consequence of a rights application. This application was for the registration at Entry No. 1 in the Rights section of the Register Unit. This registration was subsequently withdrawn by the applicant, but there still remains in the Rights section a registration at Entry No. 2 which was made on the application of Mr W Stanbury and Mr H G Wiggins. However, the map attached to the application made by Mr Stanbury and Mr Wiggins shows that the alleged servient tenement was not the land comprised in this Register Unit, but a much larger area some distance away which is comprised in Register Unit No. 37. It seems therefore that the registration at Entry No. 2 was made in error. There being no other rights registration and there being no evidence that the land comprised in this Register Unit is waste land of any manor,

I refuse to confirm the registration.

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 30th day of November 1978.


 CHIEF COMMONS COMMISSIONER