



COMMONS REGISTRATION ACT 1965

Reference No. 260/D/3

In the Matter of the Recreation Ground
Old Down, Olveston, Northavon D., Avon

DECISION

This dispute relates to the registration at Entry No. 1 in the Land Section of Register Unit No. VG.81 in the Register of Town or Village Greens maintained by the Avon County Council and is occasioned by Objection No. OB.555 made by Gloucestershire County Council and noted in the Register on 14 November 1972.

I held a hearing for the purpose of inquiring into the dispute at Bristol on 18 March 1975. At the hearing Olveston Parish Council on whose application the registration was made, were represented by Mr. M J Collingridge, clerk with J L Judd & Co, Solicitors of Thornbury, and Avon County Council were represented by Mr. P. Williams, solicitor, in the County Solicitor's Department.

The land comprised in this Register Unit contains (according to the Register) about 4.303 acres, and is known as the Recreation Ground, Old Down, being bounded on the north by Alveston Road (B.4461). The grounds of the said Objection, which was stated to be made by the County Council "as Highway Authority", are :- "That part of the land as indicated on the attached plan and thereon coloured red is not Town or Village Green but forms part of the County Highways maintainable at the public expense, being strips of verge 4' in width abutting route Nos. B.4461 and 3/239. Also the scheduled rights of way OOL 49 and 52"; the part coloured red on the plan was the line of the north boundary, part (about 2/3rds from the north) of the northwest boundary, the line of a footpath from the northwest corner diagonally across the southeast corner and the line of the footpath from the northeast corner across to a point on the northwest boundary. Mr. Williams and Mr. Collingridge said that their Councils were agreed that the registration should be confirmed with the modification that the land mentioned in the said objection should be removed from the Register. In the circumstances explained to me by them, I consider I should act on this agreement; accordingly I confirm the registration with the said 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 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/E ———

day of March

1975

a. a. Baden Fuller

Commons Commissioner