



In the Matter of Roadside Verges, Latteridge,
Iron Acton

DECISION

These disputes relate to (1) registrations in the Land Section and the Rights Section of Register Unit No. G/VG 200 in the Register of Town or Village Greens maintained by the former Gloucestershire County Council (2) registrations in the Land Section and the Rights Section of Register Unit No. G/CL 441 in the Register of Common Land maintained by the same Council. The disputes are occasioned as follows:-

(1) The registrations in the two land sections conflict: the registration as Village Green was made pursuant to an application to register rights, and the registration as Common Land was made by the Registration Authority without application.

(2) Both registrations are the subjects of Objections by the Gloucestershire County Council as highway authority (No. 595 to the village green registration and No. 612 to the common land registration) the ground of each objection being that the land forms part of a county highway.

(3) The two Objections constitute objections to the rights at Entry No. 1 in the Rights Section of Register Unit CL 441, which was registered on the application of Mr and Mrs R G Taylor.

I held a hearing for the purpose of inquiring into the dispute at Bristol on 17 April 1980. The hearing was attended by Mr and Mrs Taylor, Miss D Jenkins-Evans, Solicitor of the Avon County Council, and Mr D J Bellew, Solicitor, of the firm of Veale Benson, on behalf of Iron Acton Parish Council. It was agreed that the registration as village green be cancelled and that as common land be confirmed, with the modification that there be excluded from the land the parts forming verges (of a width not exceeding 6 feet) to the highway.

Accordingly I refuse to confirm the registration at Entry No. 1 in the Land Section of VG 200, and confirm the registrations at Entry No. 1 in the Land Section (with the modification above-mentioned) and at Entry No. 1 in the Rights Section of CL 441.

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

20 May

1980

L. J. Morris Smith

Commons Commissioner