



In the Matter of The Rocks, Rhodyate, Blaydon, Avon.

DECISION

This reference relates to the question of the ownership of land known as The Rocks, Rhodyate, Blaydon, being the land comprised in the Land Section of Register Unit No. CL 75 in the Register of Common Land 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 the Blaydon Parish Council claimed to be the freehold owner of the land in question and no other 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 Weston-Super-Mare on 17 October 1978.

At the hearing the Parish Council was represented by Mr S Holmes, one of its members.

The Parish Council appears from its minutes to have regarded this land as its property for the last 70 years, during which time there has been no other claimant. The evidence as to possession by the Council is, however, minimal, but an iron seat, which was presented to the Council in 1911 in celebration of the coronation of King George V, has remained on the land ever since, and the Council placed on the land a wooden seat, which it purchased in 1953, in celebration of the coronation of Queen Elizabeth II. In addition, the Council has erected and maintained a fence along a path which forms part of the land comprised in the Register Unit. This evidence, though slight, is just sufficient to support the Council's claim to a possessory title.

I am therefore 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 30th day of October 1978

CHIEF COMMONS COMMISSIONER