



In the Matter of The Walnuts, Easton-in-Gordano,
Avon

DECISION

This reference relates to the question of the ownership of land known as The Walnuts, Easton-in-Gordano, being the land comprised in the Land Section of Register Unit No. CL 211 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 Mr J N Carey 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 19 October 1978.

At the hearing Mr G. Leather, Solicitor, appeared on behalf of Mr Carey and the Easton-in-Gordano Parish Council was represented by Mr G W Duck, one of its members.

A part of the land in question was conveyed to Mr Carey by a conveyance made 17 September 1975 between (1) Alan James Hutchings and Kathleen Florence Hutchings. The vendors had a good root of title in a conveyance made 22 June 1945 between (1) William Hardwick (2) Philip Percy Henley. The land then became vested in Mr Carey and his wife, Mrs Margaret Edith Carey, by a conveyance made 21 June 1977.

On this evidence I am satisfied that Mr and Mrs Carey are the owners of that part of the land, and I shall accordingly direct the Avon County Council, as registration authority, to register them as the owners of that part of the land under section 8(2) of the Act of 1965.

In the absence of any evidence I am not satisfied that any person is the owner of the remainder of the land, and it will therefore remain subject to protection under section 9 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

November

1978.

[Handwritten signature]