



In the Matter of Victoria Park and Waterloo Wharf, Pill, Easton-in-Gordano, Avon

DECISION

This reference relates to the question of the ownership of land known as Victoria Park and Waterloo Wharf, Pill, Easton-in-Gordano, being the land comprised in the Land Section of Register Unit No. VG 98 in the Register of Town or Village Greens maintained by the Avon 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 Easton-in-Gordano Parish Council and the Woodspring District Council claimed to be the freehold owners of parts 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 Bath on 12 January 1983.

At the hearing the District Council was represented by Mr P Leach, Solicitor, and the Parish Council by Mr R S Whiting, Solicitor, one of its members.

The land in question consists of two areas divided by a railway line, the area to the south of the railway being known as Victoria Park and that to the north being known as Waterloo Wharf. Victoria Park was formerly known as Batch Green and was divided into two parts by a watercourse, which has since been culverted.

The western part of Victoria Park and most of Waterloo Wharf were conveyed to the former Long Ashton Rural District Council by a Conveyance made 18 April 1961 between (1) The British Transport Commission (2) The Rural District Council of Long Ashton. It appears from this Conveyance that the western part of Victoria Park was let to the Parish Council by the Great Western Railway Company on 10 January 1898 and that the culvert had been constructed by the Parish Council in compliance with an undertaking by that Council dated 9 August 1897.

The remaining small parts of Waterloo Wharf were conveyed to the former Rural District Council by a Conveyance made 26 May 1961 between (1) Willa Frances Thomas and Harold George Samuel Thomas (2) The Rural District Council of Long Ashton and a Conveyance made 6 March 1962 between (1) The Queen's Most Excellent Majesty (2) The Crown Estate Commissioners (3) Long Ashton Rural District Council.

No Conveyance of the eastern part of Victoria Park can now be found, but it is stated in the minutes of a meeting of the Parish Council held on 6 December 1897 that the Chairman announced that he had received the Conveyance of Batch Green from Mr William Hall, and the Council passed a cordial vote of thanks to Mr Hall for his gift of the recreation ground. The name was apparently changed from Batch Green to Victoria Park to celebrate the Diamond Jubilee of Queen Victoria. The Parish Council has since administered this part of the land as a recreation ground.



On this evidence I am satisfied that the District Council and the Parish Council are the owners of parts of the land, and I shall accordingly direct the Avon County Council, as registration authority, to register the District Council and the Parish Council as the owners of their respective parts 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

12th

day of

January

1984

Chief Commons Commissioner