

COMMONS REGISTRATION ACT 1965



Reference No. 260/U/29

In the Matter of Woodborough Green, Winscombe,
Avon

DECISION

This reference relates to the question of the ownership of land known as Woodborough Green, Winscombe, being the land comprised in the Land Section of Register Unit No. VG 82 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 Winscombe Parish Council and Courage (Western) Ltd each 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 Bath on 12 January 1983.

At the hearing Imperial Brewery and Leisure Ltd was represented by Mr M Horsley, Solicitor, the Woodspring District Council by Mr D Leach, Solicitor, and the Winscombe Parish Council by Mr J Higgins, its Clerk.

The earlier history of the land in question is summarised in my decision in In the Matter of Woodborough Green, Winscombe, Avon (1981), Ref. No. 260/D/20. The land was conveyed by an indenture made 7 May 1884 between (1) George Look Squire Wilkins (2) John Wilkins (3) Thomas Castle and Joseph Rogers trading as Castle and Rogers. The land then passed by divers mesne assignments until a Conveyance made 1 September 1962 between (1) Bristol Brewery Georges and Co Ltd (2) Courage Barclay and Symonds Ltd. On 30 October 1970 the name of Courage Barclay and Symonds Ltd was changed to Courage Ltd and was further changed to Imperial Brewing and Leisure Ltd on 1 January 1983.

A small part of the land was conveyed to the former Axbridge Rural District Council by a Conveyance made 27 November 1969 between (1) Courage Barclay and Symonds Ltd (2) The Rural District Council of Axbridge and was transferred to the Woodspring District Council on 1 April 1974 by the Local Authorities (England) (Property etc.) Order 1973 (S.I. 1973, No. 1861).

On this evidence I am satisfied that Imperial Brewing and Leisure Ltd and the District Council are the owners of parts of the land, and I shall accordingly direct the Avon County Council, as registration authority, to register that Company and the District 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

16th

day of

November

1983

Chief Commons Commissioner