



COMMONS REGISTRATION ACT 1965

Reference No.9/D/4

In the Matter of Broadhill,  
Bradworthy, Devon.

DECISION

This dispute relates to the registration at Entry No.1 in the Land section of Register Unit No.VG 10 in the Register of Town or Village Greens maintained by the former Devon County Council and is occasioned by Objection No.61 made by Miss A.M.Sleeman and noted in the Register on 15th May 1970.

I held a hearing for the purpose of inquiring into the dispute at Exeter on 3rd July 1975. The hearing was attended by Mr R.Walter, the Clerk of the Bradworthy Parish Council, which applied for the registration, and by Mr J.M.Rowland, solicitor, on behalf of the Objector.

Mr Walter wished to adduce evidence that the Parish Council was the owner of the land comprised in the Register Unit, but when I pointed out to him that the issue in this reference was whether the land was or was not a "town or village green" within the meaning of the definition in section 22(1) of the Commons Registration Act 1965, he read the definition and said that he could not contend that this land fell within any of the three limbs in the definition.

In these circumstances I can only refuse to confirm the registration. I gathered from Mr Walter that there is some dispute as to the ownership of this land. My decision against the Parish Council in this reference does not, of course, in any way prejudice any claim with respect to the ownership which the Council may wish to pursue in a court of competent jurisdiction.

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 17<sup>th</sup> day of July 1975

Chief Commons Commissioner