



COMMONS REGISTRATION ACT 1965

Reference Nos 213/D/111 to 114

In the Matter of Piece of land known
as Blue Boys Green or Blue Boys Park,

and

Minchinhampton Common including St Chloes
Green, Littleworth Common, Watlege Hill
Iron Mills Common, Besbury Common, Hyde
Common, Old Common and several unnamed
pieces of land,

Minchinhampton, Stroud D

DECISION

This dispute relates to the registration at Entry Nos 1 in the Land Section of Register Unit No VG. 165 and in the Land Section of Register Unit No CL. 58 in the Registers of Town or Village Greens and Common Land respectively maintained by the Gloucestershire County Council and is occasioned by Objection No 513 made by the Gloucestershire County Council and noted in the Register on 23 January 1973 and the conflicting registrations at Entry Nos 1 in the Land Sections of Register Unit Nos VG. 165 and CL. 58.

I held a hearing for the purpose of inquiring into the dispute at Gloucester on 13 October 1977. The hearing was attended by Mr G H V Watkins who made the Entry in the Land Section of Unit No VG. 165, Mr Clive Major of Messrs Winterbotham Ball and Cadsden on behalf of the Committee of Management of Minchinhampton Common and Mr G Limbrick Legal Executive on behalf of the Gloucestershire County Council.

The land, Blue Boys Green, registered as a Village Green under Unit No VG. 165 is 0.52 of an acre and is also registered as part of Minchinhampton Common Unit No CL. 58.

Mr Watkin accepted that this land was too small for any organised sports or pastimes but he said it was used for recreation. However he conceded that the use of the land for recreation was not confined to the inhabitants of any defined locality and he had no evidence of any use of the land for sports and pastimes by the inhabitants of a defined locality as of right. For this reason I refuse to confirm the Entry in the Land Section of Unit No VG. 165. The Gloucestershire County Council claimed a strip of Blue Boys Green as the Highway Authority, this strip being identified on the plan annexed to Objection No 513. Mr Major did not contest this Objection and I therefore confirm the Entry in the Land Section of Unit CL. 58 modified so as to exclude the land identified on the plan annexed to Objection No 513.



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 2nd day of March 1978

J. A. Little

Commons Commissioner