



COMMONS REGISTRATION ACT 1965

Reference No. 52/D/18

In the Matter of Chargrove Hill,
South Brewham, Brewham, Wincanton
R.D., Somerset

DECISION

This dispute relates to the registration at Entry No.1 in the Land section of Register Unit No.C.L.128 in the Register of Common Land maintained by the Somerset County Council and is occasioned by Objection No.0/183 made by Mr. A. G. Barber and noted in the Register on 16 April 1971.

I held a hearing for the purpose of inquiring into the dispute at Taunton on 5 December 1972. The hearing was attended by Brewham Parish Council who were represented by Mr. R. Vine solicitor of Messrs. Middleton & Upsall solicitors of Warminster and by Mr. A. G. Barber who was represented by Mr. R. J. Drewett solicitor of Messrs. Woodfall & Drewett solicitors of Castle Cary.

The registration was made pursuant to an application made by the Parish Council on 25 March 1968. The grounds of objection were stated as follows:- "The land was not common land at the date of registration".

Mr. Vine and Mr. Drewett at the commencement of the hearing said that their clients had agreed that this dispute should be compromised on the terms that the land described in the Appendix hereto should be removed from the Register. Mr. R. C. Perry who is 32 years of age, has lived in Brewham all his life and is now chairman of the Parish Council gave evidence. He had always understood that all the land comprised in this Unit was common land, but nobody advising the Council had before the application was made seen the title deeds of Mr. Barber. The Council had been advised by their present solicitor that these deeds showed that Mr. Barber owned a large part of the land comprised in this Unit (in addition to land surrounding it) and that having regard to the evidence which the Council was able to give at this hearing, the compromise agreement was a fair compromise which the Council ought to accept.

I am willing to give effect to the agreement so reached, and for this reason I confirm the registration with the following modification; The land described in the appendix hereto to be removed from the Register.

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.

APPENDIX

First, all the land comprised in this Register Unit situate on the south-west side of a straight line, the south-east end of which is the north-west corner of the stone wall now surrounding the farmhouse numbered BG384 on plan A hereinafter identified and the north-west end of which is the right angled corner of the hedge, being the north-east corner of the field numbered 200 on the



said plan A.

Secondly, a strip of land 14 feet wide which is part of the plot numbered 161 on the Register map, which is now a road or track running to and from the metalled carriage way from and to the central point of two cottages now occupied by Mr. Grinter and another employee of Mr. A. G. Barber.

Note:- For the purposes of identification the following words signed by a Commons Commissioner appear on the back of the above mentioned plan A:-
"Commons Registration Act of 1965. Reference 32/D/18. This is the plan A referred to in the Appendix to the decision made by a Commons Commissioner in December 1972 in the Matter of Chargrove Hill, South Brewham, Brewham, Wincanton R.D., Somerset.

Dated this

18th

day of

December

1972.

Ch. A. Backer Fuller

Commons Commissioner.