COMMONS REGISTRATION ACT 1965

Reference No.32/U/4

In the Matter of Huxham Green,
East Pennard, Somerset (No.2).

DECISION

This reference relates to the question of the ownership of land known as Huxham Green, East Pennard, being the land comprised in the Land Section of Register Unit No.C.L.71 in the Register of Common Land maintained by the Somerset 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 no person claimed to be the freehold owner of the land in question and no one 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 Taunton on 2nd November 1972.

The only appearance at the hearing was by Mr. G.T. Richards, who registered rights of common in respect of the land in question. Mr. Richards did not claim to be the owner of the land and had no information as to the ownership.

In the absence of any evidence I am not satisfied that any person is the owner of the land and it will therefore be subject to protection under section 9 of the Act of 1965. Mr. Richards expressed the hope that the owners of the rights of common would be entitled to some representation on any authority in whom the land might be vested. This, however, is not a matter within my jurisdiction, but one for Parliament when provision is made for the vesting of unclaimed common land.

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 17th day of November 1972

Chief Commons Commissioner