



COMMONS REGISTRATION ACT 1965

Reference Nos. 232/D/82
232/D/83

In the Matter of land at Walford's Gibbet, Holford,
West Somerset District, Somerset

DECISION

These disputes relate to the registrations at Entry No. 1 in the Land Section and at Entry No. 1 in the Rights Section of Register Unit No. CL.153 in the Register of Common Land maintained by the Somerset County Council and are occasioned by Objection No. O 107 made by Somerset County Council and noted in the Register on 30 November 1970.

I held a hearing for the purpose of inquiring into the disputes at Taunton on 4 June 1975. At the hearing Somerset County Council were represented by Mr J T Driver (legal executive) a senior administrative assistant in their Chief Executives Department.

The land comprised in this Register Unit is a piece about 200 yards long and between 20 and 80 yards wide on the east edge of the Quantock Hills. It was registered in consequence of an application by Mr J J A Hayman of Combe Cottage to register rights of estovers, turbarry and pannage and a right of pasture over this land in continuation of the rights over parts of the CL.10 land, the CL.26 land and the CL.85 land (comprising all or much of the land known as the Quantock Hills). The grounds stated in the objection are: "The land was not common land at the date of registration".

Mr Driver produced a letter from Mr Hayman written to County Hall in which he says: "I have now been able to inspect the small piece of land by Walford Gibbet. I agree to the removal of the area on the map you kindly sent me and there is no claim by me now of any common rights on this land".

In the above circumstances I refused to confirm the registrations.

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 20th day of January 1976

a. a. Baden Fuller

Commons Commissioner