



In the Matter of Recreation Field,

Buckland, St Mary, Somerset

These disputes relate to the registration at Entry No. 1 in the Land Section of Register Unit No. CL 201 and the registration at Entry No. 1 in the Land Section of Register Unit No. VG 75 in the Registers of Common Land and Town or Village Greens maintained by the Somerset County Council and are occasioned (1) by Objection No. O/783 made by Mrs F M White and noted in the Registers on 19 July 1971 and 26 August 1971 respectively. (2) the conflicting registrations at the two Entries.

I held a hearing for the purpose of inquiring into the disputes at Taunton on 9 May 1979. The hearing was attended by Mr P T Jacobsen, Solicitor, of the firm of Buckham & Co. He appeared on behalf of Buckland St Mary Parish Council, the applicant for registration as Common land, and also for the Commons Open Spaces and Footpaths Preservation Society, the applicant for registration as a village green. It had been agreed between the two applicants that the dispute arising from the conflicting registrations should be resolved by retention of the village green registration.

The grounds of Mrs White's Objections were that the land was not Common land or a village green at the date of registration, and had not been used for any public purposes for upwards of at least 40 years. In a letter dated 2 May 1979 her Solicitor stated that following discussions with Buckham & Co. and for the reasons therein mentioned, Mrs White withdrew her objection to the entry of the property in the Register of Village Greens.

In these circumstances I confirm the registration at Entry No. 1 in the Land Section of VG 75 and refuse to confirm the registration at Entry No. 1 in the Land Section of CL 201.

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

5 July

1979

*L. J. Morris Smith*

Commons Commissioner