



COMMONS REGISTRATION ACT 1965

Reference No.32/D/6

In the Matter of The Batch and
The Green, Woolavington, Somerset.

DECISION

This dispute relates to the registration at Entries Nos.1 and 2 in the Land Section of Register Unit No.V.G.13 in the Register of Town or Village Greens maintained by the Somerset County Council and is occasioned by Objection No.0/225 made by the Clerk of the County Council and noted in the Register on 12th February 1971.

I held a hearing for the purpose of inquiring into the dispute at Taunton on 1st November 1972. The hearing was attended by Mr. J.K. Whitcutt, Assistant Solicitor, for the Somerset County Council.

The Objection was confined to the roadside verges of the land comprised in the Register Unit. Although the position of these verges was indicated on the Objection, there was no indication of the width of the land alleged to be comprised in the verges. Mr. Whitcutt produced a letter dated 20th December 1971 from Mr. W. Pemberton, the Chairman of the Woolavington Parish Council, stating that the Parish Council would not dispute the Objection and that the registration should be amended accordingly. This cannot form the basis of a consent decision, since the area of land to be excluded from the registration has not been defined. However, Mr. B.J. Felgate, the County Divisional Surveyor based at Bridgewater, gave evidence that the County Council have for at least 25 years cut and maintained strips of land 4 feet wide at the sides of the public carriageway adjoining the land in question.

On this evidence I have decided to confirm the registration with the following modification:- namely, the exclusion of strips of land 4 feet wide along the public carriageway adjoining the land in the Register Unit.

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 13th day of November 1972


Chief Commons Commissioner