



COMMONS REGISTRATION ACT 1965

Reference Nos. 278/D1433 - 1434

Register Unit No. VG 29

Register Unit No. CL 16

In the matter of a tract of land known as Kittle Green, Kittle, Bishopston, in the City and County of Swansea

And in the matter of an application for registration of a village green

And in the matter of an application for registration of a common

And in the matter of notices of reference of disputes

DECISION

1. On 2nd July 2004 three Notice of Reference in Form 36 were made by the City and Council of Swansea to the Commons Commissioners. These relate to the question of the final registration of a tract of land known as Kittle Green in the Community of Pennard, Bishopston, Gower. The Council of the City and County of Swansea is the Registration Authority for the area. The registration of Kittle Green as a village green is maintained by it in the Register of Town or Village Greens and Entry No 3 in the Land Section of the Register Unit is the relevant entry.
2. There is, however, a conflicting registration in that Kittle Green is also registered as Entry No 1 in the Land Section of the Register of Common Land registered as part of Register Unit No CL16 also maintained by the Council of the City and County of Swansea. There are also Entries in the Ownership and Rights Sections of the same Register Unit. These Entries appear as follows: - in the Ownership Section as Entry Nos. 1, 2, 3, 4 (as amended by 73, c74), 5 (as modified by 63), 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 17, 18, 19, 20, 22, 23, 24, 25, 27, 28, 29, 30, 31, 32, (as modified by 55), 33 (as modified by 57), 34, 35 (as modified by 67), 36, 37, 38, 39 (as modified by 71), 41, 42, 43, 44, 45 (as modified by 69), 46 (as modified by 59), 47 (as modified by 61), 48 (as

modified by 65), and 49 (as modified by 53) in the Rights Sections; and as Entry No 1 in the Ownership Section.

3. Thus there is a conflict between the Land Sections of the two Registers in that same tract of land is registered at the same time as a village green and as part of a common. The disputes arising from this conflict have been referred together and are accordingly treated as deemed objections to each other.
4. In a letter dated 19th December 2004 Pennard Community Council have stated that they do not wish for the Kittle Green to be confirmed as a village green in the Land Section of the Register Unit VG29. This application for registration is therefore in effect withdrawn.
5. The disputes can therefore resolved by not confirming the registration of Kittle Green in the Land Section of VG29 as a final registration and confirming as a final registration the application for its registration in the Land Section of CL16. Further, the Entries in the Rights and Ownership Sections of CL16 (to which reference has been made in paragraph 2 above) should be deleted.
6. I give this decision by consent in accordance with my powers to do so pursuant to section 6(1) of the Commons Registration Act 1965 and Regulation 30(2) of the Commons Commissioners Regulations 1971. I should also state that I am satisfied that every person who would have been entitled to be heard has consented in writing to the proposed terms (see Regulation 31 of the Regulations).

Dated this 19th day of July 2006

Re- dated this 11th day of September 2007

Edward F Cousins
Chief Commons Commissioner