



In the Matter of Prince of Wales Green,
Peasedown St John, Avon.

DECISION

This reference relates to the question of the ownership of land known as Prince of Wales Green, Peasedown St John, being the land comprised in the Land Section of Register Unit No. VG 101 in the Register of Town or Village Greens maintained by the former 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 Courage (Western) Ltd claimed to be the freehold owner of the land in question, but subsequently withdrew its claim by letter addressed to the Clerk of the Commons Commissioners, and no other person 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 Bath on 13 July 1978.

At the hearing the Peasedown St John Parish Council was represented by Mr W G Adams, its Clerk, and the Dunkerton Parish Council was represented by Mrs E P Manson, its Clerk.

Mr Adams and Mrs Manson stated that more than half the land comprised in the Register Unit is situate in the parish of Dunkerton, but Mrs Manson stated that the Dunkerton Parish Council did not claim to be the owner of any part of the land.

In addition to cutting the grass and generally keeping the land tidy, the Peasedown St John Parish Council put seats on the land more than 20 years ago and has since maintained them. In 1966 the Parish Council placed a notice-board and a litter bin on the land, replacing a previous notice-board and litter bin.

In my view the Peasedown St John Parish Council has been in uninterrupted possession of the land for a sufficient period to have acquired a possessory title to it.

On this evidence I am satisfied that the Peasedown St John Parish Council is the owner of the land, and I shall accordingly direct the Avon County Council, as registration authority, to register that Parish Council as the owner of the land under section 8(2) of the Act of 1965.

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

31st

day of

July

1978

CHIEF COMMONS COMMISSIONER