



COMMONS REGISTRATION ACT 1965

Reference No 213/D/21

In the Matter of Fountain Piece,  
Oakridge Lynch, Bisley with Lypiatt  
Stroud D

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DECISION

This dispute relates to the registration at Entry No 1 in the Land Section of Register Unit No VG. 124 in the Register of Town or Village Greens maintained by the Gloucestershire County Council and is occasioned by Objection No OB 473 made by the Gloucestershire County Council and noted in the Register on 23 October 1972.

I held a hearing for the purpose of inquiring into the dispute at Gloucester on 15 October 1976. The hearing was attended by Mr Limbrick, senior legal executive on behalf of the Gloucestershire County Council and Mr H W Kirkwood on behalf of the Bisley with Lypiatt Parish Council.

The land in question is a very small triangular piece of land entirely surrounded by roads on which is situated a war memorial.

The County Council as the highway authority claims that 6 ft verges are part of the highways and the Parish Council claims the remainder of the land.

The land by reason of its size and the presence of the war memorial and its proximity to the roads cannot be used for lawful sports and pastimes and is not a village green as defined in Section 22 of the Act of 1965. If, as the Parish Council allege, they own the land no useful purpose would be served by giving it the status of a village green.

For these reasons I refuse to confirm the registration.

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 1<sup>st</sup> day of November 1976

C A F/H/c

Commons Commissioner