



In the Matter of Land opposite Holman Clavel Inn,  
Otterford, Taunton Deane District, Somerset.

DECISION.

This dispute relates to the registration at Entry No.1

in the Land Section of Register Unit No. VG.88 in the Register of Town or Village Greens maintained by the Somerset County Council and is occasioned by Objection No. O/121 made by West Somerset Water Board and noted in the Register on 6 November 1970.

I held a hearing for the purpose of inquiring into the dispute at Taunton on 3 June 1975. At the hearing The Commons, Open Spaces and Footpaths Preservation Society were represented by Mr. P.T. Jacobsen, solicitor with Bircham & Co, Solicitors of London.

The grounds stated in the Objection are:- "The land was not a village green at the date of registration and was included in the title of the objectors". Mr. Jacobsen said (in effect):- The Objection has been withdrawn. The Society applied for the registration because the land comprised in this Register Unit was allotted as a recreation ground by an Inclosure Award dated 26 March 1851.

In a letter dated 23 May 1975 and sent to the Clerk of the Commons Commissioners, Broomhead & Saul, Solicitors of Taunton, on behalf of their clients the Wessex Water Authority (formerly the West Somerset Water Board) withdrew their objection to the registration of this land as a village green. Mr. Jacobsen produced a copy, obtained from the Public Record Office, of the 1851 Award and of the map annexed thereto (it was made under the Annual (2nd of the year) Inclosure Act; 9 & 10 Vict. c.117) ; by it the Valuer allotted (with other recreational allotments) a "piece... of land... near Holman Clavel Inn numbered



in the said map 1, 118 containing two acres.....in trust as a Place of Exercise or Recreation for the inhabitants of the Parish of Otterford and Neighbourhood....."

In the circumstances above stated, I confirm the registration without any modification.

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.

this..... 11K ..... day of June .....1975

a. a. Baden Fuller

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COMMONS COMMISSIONER.