



In the Matter of The Green,
Long Sutton, Somerset.

DECISION

This reference relates to the question of the ownership of land known as The Green, Long Sutton, being the land comprised in the Land Section of Register Unit No.V.G.11 in the Register of Town or Village Greens maintained by the 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 no person claimed to be the freehold owner of the land in question and no one 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 Taunton on 2nd November 1972.

The only appearance at the hearing was by the Revd. C.J.B. Marshall, the Chairman of the Long Sutton Parish Council. Mr. Marshall suggested that The Green was a piece of manorial waste which belonged to the lord of the manor, who at the time when the Inclosure Award was made in 1814 was Lord George Henry Cavendish. It seems to me unlikely that this land is now manorial waste, whatever it may have been before the Inclosure Award, but it is not necessary to pursue that line of enquiry, since there is no evidence as to who is now the successor in title to Lord George Henry Cavendish. There is, however, evidence that at some stage the true owner, whoever he may have been, has been ousted by the Parish Council. A fair has been held on The Green on Trinity Monday and the Parish Council has given permission for the pitching of stalls and amusements, for which money has been taken by the Council. The Council has placed a seat and a litter basket on the land and has also cut down a chestnut tree and planted a tree in its place. All these acts are inconsistent with the ownership being in any person other than the Parish Council.

For these reasons I am satisfied that the Parish Council is the owner of the land, and I shall accordingly direct the Somerset County Council, as registration authority, to register the Long Sutton 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 13th day of November 1972

Chief Commons Commissioner