



COMMONS REGISTRATION ACT 1965

Reference No.32/U/21

In the Matter of Trull Green,
Trull, Somerset.

DECISION

This reference relates to the question of the ownership of land known as Trull Green, Trull, being the land comprised in the Land Section of Register Unit No.V.G.16 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 Mr. G.S. Hewett claimed to be the freehold owner of the land in question jointly with the Misses K.D. and D.M. Hewett, 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 Taunton on 3rd November 1972.

There was no appearance at the hearing, but before the hearing Messrs. Clarke, Willmott and Clarke, solicitors for Mr.Hewett, wrote to the Clerk to the Commons Commissioners stating that it was not Mr.Hewett's intention to pursue his claim to the ownership of the land in question, his only concern being to have his claim to a right of way over it noted.

The Trull Parish Council sent to the Clerk to the Commons Commissioners extracts, certified by the Somerset County Archivist, from the Taunton Deane Inclosure Award made on 6th March 1851 under the Act 9 & 10 Vict.,c.117, from which it appears that Trull Green was allotted to one Thomas Dare Stephens, who consented under section 74 of the Inclosure Act 1845 to receive it as part of his allotment subject to its use as a place of exercise and recreation for the inhabitants of the parish of Trull and neighbourhood. I was, however, furnished with no evidence as to who is now the successor in title of Mr.Stephens.

In the absence of such evidence I am not satisfied that any person is the owner of the land, and I shall accordingly direct the Somerset County Council, as registration authority, to register the Trull Parish Council as the owner of the land under section 8(3) 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 of November 1972

Chief Commons Commissioner