



COMMONS REGISTRATION ACT 1965

Reference No. 32/D/9

In the Matter of two pieces of land
to the East and West of Fair House Road,
Barwick, Somerset.

DECISION

This dispute relates to the registration at Entry No.1 in the Land Section of Register Unit No. C.L.8 in the Register of Common Land maintained by the Somerset County Council and is occasioned by Objection No. 0/254 made by Mr. F.G. Musson and noted in the Register on 11th February 1971.

I held a hearing for the purpose of inquiring into the dispute at Taunton on 2nd November 1972. The hearing was attended by Mr. G.D. Bevir, solicitor, for the Barwick Parish Council, and by Mr. B. Bennett, solicitor, for Mr. Musson.

Although the Objection in form relates to the whole of the land in the Register Unit, I was informed at the hearing that Mr. Musson's real grievance was the inclusion in the Register Unit of a portion of his garden. Mr. Bevir said that the Parish Council were willing to accept that Mr. Musson's garden should be wholly excluded from the Register Unit, and he propounded a mutually acceptable form of words to achieve this end.

I am willing to give a decision in this form, and I accordingly confirm the registration with the following modification:- namely, the exclusion of the rectangular area of garden land immediately to the East of and adjacent to the property known as Fair House Farm, Stoford, formerly known as Stoford Fair House, which said area of land is at the present time delineated in extent by a post and rail fence.

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 17th day of November 1972

Chief Commons Commissioner