



COMMONS REGISTRATION ACT 1965

Reference No. 241/D/80

In the Matter of Poulshot Green,  
Poulshot, Wiltshire (No. 2)

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DECISION

This dispute relates to the registration at Entry No. 1 in the Land Section of Register Unit No. VG 16 in the Register of Town or Village Greens maintained by the Wiltshire County Council and is occasioned by the conflicting registration at Entry No. 1 in the Land Section of Register Unit No. CL 84 in the Register of Common Land maintained by the Council.

I held a hearing for the purpose of inquiring into the dispute at Salisbury on 9 December 1980. The hearing was attended by Mr E R Grist, the Chairman of the Poulshot Parish Council, the applicant for both the registrations.

A part of the land comprised in the Register Unit, having an area of 3a.1r.28p., was formerly a part of the waste land within the Parish of Poulshot, and by a resolution of the Vestry of Poulshot dated 9 February 1831 it was enclosed for the benefit of the poor. Presumably this was done under the Poor Relief Act 1831. The poor were benefitted by the income obtained from letting the land as allotments, the money being applied to the purchase of coal. This area clearly does not fall within the definition of "Town or Village Green" in Section 22(1) of the Commons Registration Act 1965 and must therefore be excluded from the Register Unit.

The remainder of the land comprised in the Register Unit is subject to rights of common registered in the Rights Section of the Register Unit. The land therefore falls within the definition of "Common Land" in Section 22(1) of the Act of 1965 unless it is excluded from that definition by being a town or village green. The evidence that the land is a town or village green is somewhat meagre. According to the Report on the Charities of Wiltshire made in 1908 the allotment land referred to above had for many years been known as the Green Gardens. On the other hand, it is described in the Title Award of 1836 as "The Common". Mr Grist, however, said that the unenclosed part had for many years been used for national celebrations and for various games and that the local children used it as a general playground.

Since Mr Grist supported this registration and not the conflicting registration and since there is no objection to the registration, I have come to the conclusion that I can properly confirm the registration with the following modification, namely, the exclusion of the allotment land.

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

17<sup>th</sup>

day of

December

1980

  
Chief Commons Commissioner