



COMMONS REGISTRATION ACT 1965

Reference No.9/D/16

In the Matter of Church Green,
Newton Poppleford, Harpford, Devon.

DECISION

This dispute relates to the registration at Entry No.1 in the Land Section of Register Unit No.VG.76 in the Register of Town or Village Greens maintained by the former Devon County Council and is occasioned by Objection No.1168 made by the Clerk of the County Council and noted in the Register on 11th September 1972.

I held a hearing for the purpose of inquiring into the dispute at Exeter on 15th May 1974. The hearing was attended by Mr. P.A.J. Brown, solicitor, on behalf of the Devon County Council. Mr. Brown produced what purported to be a consent under reg.31 of the Commons Commissioners Regulations 1971, signed on behalf of the Revd. R.G. Merwood, the applicant for the registration, and the County Council requesting me to refuse to confirm the registration. Since this document was not signed by or on behalf of all the persons entitled to be heard at the hearing, as required by reg.31, I cannot act upon it. However, since there was no evidence before me in support of the registration I refuse to confirm it.

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 5th day of June 1974

Chief Commons Commissioner