



COMMONS REGISTRATION ACT 1965

Reference No.98/D/3

In the Matter of Foreshore adjoining the Sea Wall  
at the Southern End of Marine Road, Oreston,  
Plymouth, Devon (No.3).

DECISION

This dispute relates to the registration at Entry No.2 in the Rights section of Register Unit No.CL 1 in the Register of Common Land maintained by the former Plymouth City Council and is occasioned by Objection No.1 made by A.L.Brotherton Ltd and noted in the Register on 23rd October 1968.

I held a hearing for the purpose of inquiring into the dispute at Exeter on 1st July 1975. The hearing was attended by Mr C.T.Roberts, the applicant for the registration, and by Mr A.Brotherton, the managing director of the Objector.

The right claimed by Mr Roberts is a right to collect driftwood. This is not, in my view, a right of common, because driftwood is not part of the natural produce of the soil. For this reason I refuse to confirm the registration.

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 July 1975

Chief Commons Commissioner