



COMMONS REGISTRATION ACT 1965

Reference Nos.209/D/19-24

In the Matter of Shortmoor and Huntshayes Pits,  
Stockland, Devon (No.2).

DECISION

These disputes relate to the registration at Entry Nos.1,2,3,4 and 5 in the Rights Section of Register Unit No.CL 6 in the Register of Common Land maintained by the former Devon County Council and are respectively occasioned by Objection No.1105 made by the former Devon County Council and noted in the Register on 14th August 1972, and Objection No.426 (Land) made by Mr F.J.Shipp and noted in the Register on 16th November 1970.

I held a hearing for the purpose of inquiring into the disputes at Exeter on 23rd October 1974. The hearing was attended by Mr P.A.J.Browne, solicitor, on behalf of the Devon County Council. The Stockland Parish Council, the applicant for the registration at Entry No.1, was not represented, but Mr Browne handed to me a document signed on behalf of the Parish Council asking me to "cancel" its claim. Mr W.H. Pearce, the applicant for the registration at entry No.2 did not appear and was not represented, but Mr Browne informed me that Mr Pearce was dead and handed to me a document signed by Mr B.W.A.Pearce, claiming to be the personal representative of Mr W.H. Pearce asking me to "cancel" the claim. Mr B.W.A. Pearce, the applicant for the registration at Entry No.3, and Mr W.J. Batten, the applicant for the registration at Entry No.4, did not appear and were not represented, but Mr Browne handed to me a document signed by Mr Batten asking me to "cancel" his claim. The applicant for the registration at Entry No.5 was the former Devon County Council. Mr Shipp did not appear and was not represented.

In the absence of any evidence in support of any of the registrations, I refuse to confirm any of the registrations.

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 26<sup>th</sup> day of November 1974

Chief Commons Commissioner