



COMMONS REGISTRATION ACT 1965

Reference No.113/D/1

In the Matter of Stantaway Hill,
Torbay, Devon.

DECISION

This dispute relates to the registration at Entry No.1 in the Land Section of Register Unit No.VG.1 in the Register of Town or Village Greens maintained by the former Torbay County Borough Council and is occasioned by Objection No.2 made by the County Borough Council and noted in the Register on 22nd July 1969.

I held a hearing for the purpose of inquiring into the dispute at Exeter on 14th May 1974. The hearing was attended by Mr. B.T. Bowman, solicitor, on behalf of Mrs.C.A.M.Head, whose application was noted in respect of the registration. Mr.A.J. Hodgkiss, solicitor, appeared on behalf of the Torbay District Council. Mr.Bowman informed me that Mr. E.P. Boon, the applicant for the registration, had died.

Mr.Hodgkiss stated that the District Council was willing to agree to the confirmation of the registration. On an application by Mr.Bowman for costs, Mr.Hodgkiss stated that, while the objection had been made in good faith, the matter had not been pursued in sufficient time to enable the incurring of costs to be avoided and that he did not oppose an order for costs.

For these reasons I confirm the registration. I shall also order the District Council to pay Mrs.Head's costs to be taxed on County Court Scale 2.

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