



In the Matter of About 23 acres of Land,
Portland, Weymouth and Portland,
Dorset (No. 2)

DECISION

These disputes relate to the registration at Entry No. 2 in the Rights section of Register Unit No. CL 71 in the Register of Common Land maintained by the Dorset County Council and are occasioned by Objection No. 446 made by the Clerk of the former Dorset County Council and noted in the Register on 1 June 1971 and Objection No. 947 made by the Secretary of State for Defence and noted in the Register on 3 November 1971.

I held a hearing for the purpose of inquiring into the dispute at Dorchester on 23 September 1976. The hearing was attended by Mr N Butterfield, of Counsel, on behalf of the Commons and Court Leet of the Island and Royal Manor of Portland, and also on behalf of the Secretary of State for Defence, and Mr D S Harper, solicitor, on behalf of the Dorset County Council.

The Objections related to parts of the land comprised in the Register Unit. By my decision in In the Matter of About 23 acres of Land, Portland, Weymouth and Portland (No. 1), Ref. No. 210/D/211 I confirmed the registration in the Land Section of the Register Unit with the exclusion of certain areas there specified which were the subject of these applications. There is no suggestion that the land which is properly included in the Register Unit is not subject to rights of common, so it only remains for me to confirm the registration, but for the reasons given in my decision in In the Matter of About 555 acres of Land, Portland, Weymouth and Portland (No. 2) (1976), Ref. No. 210/D/202 I confirm it with the following modifications, namely, the deletion of the words in columns 4 and 5 and the substitution of particulars of the rights attached to each of the 39 properties comprised in the list submitted by Mr Butterfield's instructing solicitors.

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

17th

day of

March

1977

Chief Commons Commissioner