



COMMONS REGISTRATION ACT 1965

Reference Nos.10/D/76-88

In the Matter of Gore Heath,
Wareham St. Martin, Dorset.

DECISION

These disputes relate to the registration at Entry No.4 in the Land Section of Register Unit No.C.L.309 in the Register of Common Land maintained by the Dorset County Council and are occasioned by Objection No.948 made by Mr. M.B. Wilkes, Mr. A.N. Wilkes, Mr. C. Burr ridge, and Mr. A.R. Burr ridge and noted in the Register on 3rd November 1971, and Objection No.1021 made by Mr. D.E. Poulton and Mr. F.J. Lockyer; Objection No.1101 made by Mr. P.G. Pike and M/s B. Pike; Objection No.1112 made by the Minister of Agriculture, Fisheries and Food; Objection No.1113 made by Mr. W. and Mrs. B. Fowler; Objection No.1116 made by Mr. P. Pond; Objection No.1120 made by Mr. G.W. Blackmore; Objection No.1121 made by Mrs. J.M. Blackmore; Objection No.1124 made by the Halifax Building Society; Objection No.1148 made by Morden Estates Company; Objection No.1172 made by Mr. C.A. Barber; Objection No.1173 made by Mrs. M.C. Barber; and Objection No.1179 made by Mrs. D.J.A. Collin, and all noted in the Register on 25th August 1972.

I held a hearing for the purpose of inquiring into the disputes at Dorchester on 26th February 1974. The hearing was attended by Mr. Ian McCulloch, of counsel, on behalf of Messrs. Wilkes and Burr ridge, Messrs. Poulton and Lockyer, Mr. and M/s Pike, Mr. Blackmore, Mrs. Blackmore, the Halifax Building Society, Mr. Barber and Mrs. Barber; by Mr. F. Mallows, solicitor, on behalf of the Minister of Agriculture, Fisheries and Food, Mr. Giles Best, of counsel, on behalf of Morden Estates Company, and Mr. C.P. Mather, solicitor, on behalf of Mrs. Collin. Mrs. Fowler appeared in person on behalf of herself and Mr. Fowler. Mr. Pond did not appear and was not represented. The Ramblers' Association, which applied for the registration, was not represented. Mrs. J.M.M. Caver, who signed the application on behalf of the Ramblers' Association, was present, but desired to be heard only in relation to costs. Mr. E.H.V. Gee, whose application was noted in the Register under section 4(4) of the Commons Registration Act 1965, appeared by Mr. O. Coombe, solicitor, who informed me that he was instructed not to support the registration.

There being no evidence in support of any of the applications, I refuse to confirm the registration.

All the Objectors, with the exception of Mr. Pond, applied for orders for costs against the Ramblers' Association, Mrs. Caver, and Mr. Gee. For the reasons given in my decision in In the Matter of Morden Heath, Wareham St. Martin (No.1) (1974), 10/D/64-65, I have decided to refuse the application against the Ramblers' Association and Mrs. Caver, and to make an order that Mr. Gee pay the costs of each Objector, with the exception of Mr. Pond, to be taxed on County Court Scale 4.

I am required by regulation 30(1) of the Commons Commissioners Regulation



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 29th day of March 1974 .

A handwritten signature in black ink, appearing to read 'C. L. ...', written over a horizontal line.

Chief Commons Commissioner