



In the Matter of Holt Forest
Holt, Wimborne D

DECISION

This dispute relates to the registration at Entry No. 18 in the Land Section and all the substituting Entry in the Rights Section of Register Unit No. CL 19 in the Register of Common Land maintained by the Dorset County Council and is occasioned by Objection No. 105 made by Dorset County Council and noted in the Register on 3 June 1971, Objection No. 37 made by A J Maton noted in the Register on 3 June 1971 and Objection No. 337 made by H J R Bankes and noted in the Register on 3 June 1971.

I held a hearing for the purpose of inquiring into the dispute at Bournemouth on 27, 28 and 29 April 1976, and adjourned hearings in London on 29 September and 15 November 1976 and 21 July 1978.

The parties are to be congratulated on having arrived at an agreement in the course of the adjournments and for this reason it is not necessary for me to deal in this decision with any of the hearings other than the final hearing on 21 July 1978. At this hearing Mr C George, Counsel, instructed by Messrs Gregory Rowcliff appeared for Mr Bankes and Mr R Thorne of Messrs Philip Evans and Company appeared for all the commoners who attended any of the previous hearings.

It was accepted that the land the subject of Mr Matons Objection No. 37 and identified on the plan annexed there-to was wrongly registered and at Mr Georges request I confirmed the Entry in the Land Section modified by the exclusion of Mr Matons said land.

As regards the Entries in the Rights Section, Mr George produced an agreement made between Mr Bankes and the applicants for rights under the Entries set out in the Schedule hereto whereby, it was agreed that those applicants should have the rights there be provided for and set out in the said Schedule.

Mr Thorne withdrew the claims for rights of all applicants who attended the hearings other than those who applied under the Entries set out in the said Schedule and I refuse to confirm the Entries withdrawn by Mr Thorne and those applicants who did not attend the hearing or any of them to support their claims.

I confirm the Entries set out in the said Schedule modified at therein provided.



The Schedule above referred to

Entry No

Modified Rights

13-1	A. J. COLLECCOCH	Estovers and 3 Units of pasturage
13-5	R. J. HAYTER	Estovers and 1 Unit of pasturage
13-6	H. G. HAYTER & SONS	Estovers and 2 Units of pasturage
13-12	R. H. FRAMPTON	Estovers and 1 Unit of pasturage
13-15	B. G. FRAMPTON	Estovers and 1 Unit of pasturage
25-23	R. B. ASHMAN	Estovers and 3 Units of pasturage
30-37	W. E. STIFFORD	Estovers
33-44	S. J. FRAMPTON	Estovers and 1 Unit of pasturage
33-7	G. J. POOK	Estovers and 1 Unit of pasturage
33-42	W. B. POWERS	Estovers
33-9	BRANKING	Estovers and 2 Units of pasturage
33-32	SEVICUR & SENDERLAND	Estovers and 1 Unit of pasturage
33-10	H. J. BEANT	Estovers
33-14	G. BARRETT	Estovers
33-21	A. BAKER	Estovers and 1 Unit of pasturage
33-11	L. WHISCOCK	Estovers and 2 Units of pasturage
33-22	A. E. CUTLER (NOW SMITH)	Estovers and 3 Units of pasturage
33-26	A. J. DUTTON	Estovers
33-33	K. D. FROST	Estovers and 3 Units of pasturage
33-27	D. W. BRADBURY	Estovers
33-30	C. G. STALKER	Estovers and 3 Units of pasturage
33-34	V. J. FRAMPTON	Estovers and 3 Units of pasturage

STET

The rights of estovers are limited to the collection dead wood.
One Unit of Pasturage = the right to graze 1 beast or 1 horse.

Note The agreement referred to in the decision apportions the rights for Entry No. 310. I have no power to give effect to that apportionment and I have accordingly amalgamated the right apportioned to the Lams Lower Rowe. The agreement will bind Mr Frost, Mr Bradbury and Mr Stalker as to the exercise of these rights. If they wish the apportionment recorded on the Register they will have to apply under Section 13 of the Act of 1965 and identify the lands to which the apportioned rights are appurtenant.

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 10th day of October 1978

Corrected under Regulation 33

G A Little
G A Little

10 October 1979
Commons Commissioner

Corrected
G A Little
26/2/80