



COMMONS REGISTRATION ACT 1965

Reference No 210/D/77-78 & 79

In the Matter of Horton Common,
Horton, Wimborne D

DECISION

These disputes relate to the registrations at Entry No 165 in the Land Section and at Entry No 1 in the Rights Section of Register Unit No. CL.165 in the Register of Common Land maintained by the Dorset County Council and are occasioned by Objection No 938 made by Sir Berkeley Pigott and noted in the Register on 31 October 1972 and Objection No 360 made by the Earl of Shaftsbury and noted in the Register on 31 October 1972.

I held a hearing for the purpose of inquiring into these disputes at Bournemouth on 30 April 1976. The hearing was attended by Miss Cameron, counsel, instructed by Messrs Withers & Co on behalf of the Earl of Shaftsbury, Mr Fulthorpe, counsel, instructed by Messrs Davies & Felton on behalf of Mr S Morgan the applicant for rights, Mr Holly on behalf of the Dorset County Council and Mr Jackson on behalf of the Wimborne District Council.

Mr Fulthorpe stated that he was calling no evidence in support of Mr Morgan's application for Rights and that he was content that I should refuse to confirm the Entry at No 1 in the Rights Section. The Entry in the Land Section was made in consequence of the Entry in the Rights Section and I must therefore refuse to confirm that Entry.

For these reasons I refuse to confirm the above mentioned 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 18th day of May 1976

C A Little

Commons Commissioner