



COMMONS REGISTRATION ACT 1965

Reference Nos. 10/D/19
10/D/20

In the Matter of The Green,
Chaldon Herring, Dorset.

DECISION

These disputes relate to the registration at Entry No.7 in the Land Section of Register Unit No. V.G.7 in the Register of Town or Village Greens maintained by the Dorset County Council and are occasioned by Objection No.91 made by the County Council and noted in the Register on 3rd October 1971 and Objection No.230 made by the Trustees of the Weld Estate and noted in the Register on 5th October 1971.

I held a hearing for the purpose of inquiring into the dispute at Dorchester on 27th February 1973. The hearing was attended by Mr. W. Miller, Chairman of the Chaldon Herring Parish Council, who applied for the registration and by Mr. W.N. Taylor, Assistant County Solicitor. Before the hearing the solicitors for the Trustees of the Weld Estate informed the Clerk of the Commons Commissioners that they did not wish to pursue their objection.

The grounds of objection stated in the objection of the County Council were:-

"No part of this green is considered to be highway. A possible future widening line which will extend the overall width of the highway to "36'0" is shown coloured pink on plan No. 4581/4. This should be "protected at this stage".

Mr. Taylor agreed that there was no provision in the Commons Registration Act 1965 for protecting possible future widening of highways and did not press the objection.

I am therefore left with the evidence in Mr. Miller's statutory declaration in support of the registration, supplemented by his oral evidence that there used to be a maypole on the Green and that it was used for fairs.

Since neither objection is pursued, I am willing on this somewhat slender evidence to confirm the registration.

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 March 1973

Chief Commons Commissioner