



COMMONS REGISTRATION ACT 1965

Reference No. 210/D/318

In the Matter of Ton Mead,  
Gussage All Saints, Dorset

DECISION

This dispute relates to the registration at Entry No. 55 in the Land Section of Register Unit No. CL 55 in the Register of Common Land maintained by the Dorset County Council and is occasioned by Objection No. 352 made by the Earl of Shaftesbury and noted in the Register on 10 March 1971.

I held a hearing for the purpose of inquiring into the dispute at Poole on 20 November 1979. At the hearing Miss Sheila Cameron, of Counsel, appeared on behalf of the Earl of Shaftesbury, and Mr P Claydon representing the Ramblers Association.

The registration was made on the application of Gussage All Saints Parish Council, and a supporting application is noted made by Mr N-H Hotchkiss (now represented by the Ramblers Association). The Objection is on the ground that the land was not common land at the date of registration. There are no rights of common registered.

The Earl of Shaftesbury is registered as owner, but Miss Cameron informed me that in July 1976 he sold land which included the land in this Register Unit to National Freight Corporation Trustees Ltd, who are accordingly successors to the Earl and now the Objectors: Miss Cameron appeared on their behalf as well as for the Earl.

The Parish Council (now Vale of Allen Parish Council) had written in May 1976 to say that they withdrew their application to register and Mr Claydon said that Mr Hotchkiss did not wish to pursue the supporting application. In these circumstances I refuse 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

30 January

1980

*L. J. Morris Smith*

Commons Commissioner