



COMMONS REGISTRATION ACT 1965

Reference Nos. 14/D/42 to 46
inclusive.

In the Matter of Town Common,
Christchurch

DECISION

This dispute relates to the registration at Entry No.1 in the Land Section and Entry Nos. 1, 2, 3 and 4 in the Rights Section of Register Unit No. CL.159 in the Register of Common Land maintained by Dorset County Council and is occasioned by Objection Nos. OB.135 and OB.383 to 386 inclusive all made by Messrs Walters Vandercom and Hart and No. OB.135 being noted in the Register on 16th December 1968 and Nos. OB.383 to 386 inclusive all being noted in the Register on 10th December 1970.

I held a hearing for the purpose of inquiring into the dispute at Dorchester on 10th July 1975. The hearing was attended by Mr P. Samuel on behalf of Christchurch Borough Council.

Mr Samuel stated that this small piece of land was part of Town Common and had by inadvertance been omitted from the Registration of Town Common. Mr Commissioner Baden Fuller held an inquiry in the Matter of Town Common on 16th and 17th April 1975 and Mr Samuel submitted, as must be the case, that my decision should follow that of Mr Baden Fuller.

For this reason I confirm the Entry at No.1 in the Land Section. I refuse to confirm the Entries at Nos. 1,2 and 3 in the Rights Section and I confirm the Entry at No.4 in the Rights Section modified so as to delete all the words in column 4 and substitute therefore the following words viz:-

"The right, as exercised from time immemorial by the owners or tenants of residential land in the Old Borough of Christchurch along with all other persons entitled to like rights and under the conditions and regulations applicable thereto, of turbary and estovers for use for or in the commoner's residence"

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 November 1975

C. A. Little

Commons Commissioner