



In the Matter of Kings Stanley War Memorial,
Kings Stanley, Gloucestershire (No. 2).

DECISION

This dispute relates to the registrations at Entry Nos 1 - 3 in the Rights section of Register Unit No. CL 10 in the Register of Common Land maintained by the former Gloucestershire County Council and is occasioned by Objection No. Ob.10 made by West County Breweries Ltd and noted in the Register on 20 June 1969.

I held a hearing for the purpose of inquiring into the dispute at Gloucester on 8 February 1977. The hearing was attended by Mr E A W Jones, solicitor, on behalf of the Objector. Mrs M Savage, the applicant for the registration at Entry No. 1, Mr W J Davies, the applicant for the registration at Entry No. 2 and Mr H W King, the applicant for the registration at Entry No. 3, were not present and were not represented. However, by a letter dated 31 January 1977 Mr T C Savage, the Honorary Secretary of the King's Stanley and Selsey Graziers Association, informed the Clerk of the Commons Commissioners that the applicants for the registrations at Entry No. 1 and 3 and the successors in title of the applicant for the registration at Entry No. 2 relinquished their claims to right of common over the whole of the land comprised in the Register Unit. This letter was counter-signed by the parties concerned.

Although the sole ground of the Objection is that only a part of the land comprised in the Register Unit is not common land, I take the view that the making of an objection gives a Commons Commissioner jurisdiction over the whole of a registration, and it seems to me that in the circumstances of this case my proper course is to refuse to confirm the 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

26th

day of

March

1977

Chief Commons Commissioner