



COMMONS REGISTRATION ACT 1965

Reference No.214/D/30 and 31

In the Matter of Warnborough Green, Odiham
Hart D.

DECISION

These disputes relate to the registration at Entry Nos 8 9 16 15-17 and 20 in Rights Section of Register Unit No.CL.5 in the Register of Common Land maintained by the Hampshire County Council, and is occasioned by Objections No 426 and 427 both made by Mrs. A V Maclean and both noted in the Register on 16 March 1974.

I held a hearing for the purpose of inquiring into these disputes at Winchester on 4 May 1978. The hearing was attended by Mrs E M Dicker the successor to the applicant under Entry No. 15.

Neither the objector nor her successor nor any other applicant appeared. In these circumstances I have no alternative but to treat all the six above mentioned Entries as being unopposed and I confirm all these Entries.

There have been a number of withdrawals of Entries in the Rights Section many signed by the applicants with illegible signatures. The view which I take is that if an objector has reached an agreement whether that the Entry is to be withdrawn or whether it is to be modified it is his duty to attend the inquiry and to inform the Commissioner of the decision which he submits the Commissioner should give.

In the instant case even if I were willing to endeavour to ascertain what if any agreements had been arrived at by searching through the documents available to me, I could not arrive at the correct result.

If Mrs Macleans successors request me to reopen the hearing I will do so, but if Mrs E M Dickers rights are to be satisfied they will be at risk as to her costs of attending the hearing.

For these reasons 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 this 12 day of July

1978

G. A. Settle

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Commons Commissioner