



In the Matter of Worston Village Green
or The Bull Ring Worston

DECISION

This dispute relates to the registration at Entry No 1 in the Land Section of Entry No. 1 in the Rights Section of Register Unit No.CL. 275 in the Register of Common Land maintained by the Lancashire County Council and is occasioned by the conflicting registration at Entry No 1 in the Land Section of Register Unit No.VG.43 in the Register of Town or Village Greens maintained by the Council.

I held a hearing for the purpose of inquiring into the dispute at Preston on 11 November 1980. The hearing was not attended by any person entitled to be heard.

The registration as common land was made in consequence of the application by Eric King and Maureen King (jointly) to register a right of grazing. There is no express Objection to the registration of that right. Since no one appeared at the hearing no evidence was given to support or to deny the existence of the right.

The application to register the right of grazing was supported by the usual statutory declaration, and in a letter dated 20 October 1980, Mr King indicated that it was unlikely he would be able to attend the hearing and submitted a statement with reference to the registration of his right.

In the absence of evidence, or indeed of an express objection, challenging the right, I think it appropriate to uphold the right.

As there is no Objection to the Village Green registration, I shall confirm that registration and also the Entry of the grazing right in the Rights Section of that unit (VG.43) deemed to be made by virtue of Regulation 14 of the Commons Registration (General) Regulations 1966. The registration as Common Land I refuse to confirm.

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 1 December 1980

L. J. Morris Smith
Commons Commissioner