



COMMONS REGISTRATION ACT 1965

Reference Nos 232/D/105
232/D/106

In the Matter of Room Hill, Winsford,
West Somerset District, Somerset

DECISION /

These disputes relate to the registrations at Entry No 1 in the Land Section and at Entry No 1 in the Rights Section of Register Unit No CL. 189 in the Register of Common Land maintained by the Somerset County Council and are occasioned by Objection No O/319 made by Mr Wilford Johnson and noted in the Register on 4 January 1971.

I held a hearing for the purpose of inquiring into the disputes at Taunton on 29 November 1977. The hearing was not attended by any person entitled to be heard other than Somerset County Council who as registration authority, were represented by Mr Driver.

The registration in the Rights Section was made on the application of Mrs M Webb and Mr M de L Wilson, and is of a right attached to Lyncombe Farm to graze up to 400 sheep and 40 cattle over the land. The registration in the Land Section was made in consequence of this application. The grounds of Objection are: "The land was not common land at the date of registration".

In a letter dated 9 November 1977, Traill Castleman-Smith & Wilson, Solicitors of Blandford Forum writing on behalf of Mrs Webb and Mr Wilson said that they were instructed by their clients to withdraw their application for the registration of common rights on the ground that they have documentary private rights. Having regard to this letter, and in the absence of any evidence in support of the registration, I conclude that it was made in error.

For the above reasons I 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 13th day of *January* ————— 1978

a a. Bastin Jukes