



In the Matter of River Don and Banks, Huddle Grounds,  
Fore Doles and Clay Pits, Ashfield Banks, and Ponds,  
Canal Banks and Wastes, Soak Drains and Banks, Stainforth  
and Thorne, South Yorkshire

DECISION

These disputes relate to the registration at Entry No 1 in the Land section of Register Unit No.VG.182 in the Register of Town or Village Greens maintained by the South Yorkshire Metropolitan County Council and are occasioned by Objection No. 351 made by Mr A B Mawson and Objection No. 587 made by Mr J Whiteley and both noted in the Register on 12 May 1971 Objection No. 590 made by Mrs H Whiteley and Objection No. 843 made by the British Waterways Board, Northern Region and Objection No. 1126 made by the former West Riding County Council and all noted in the Register on 24 May 1971, Objection No. 19335 made by Mrs M Sprakes and noted in the Register on 8 June 1971, Objection No. 1383 made by British Railways, Eastern Region and noted in the Register on 1 September 1971, Objection No. 1419 made by Mr A Pashley and noted in the Register on 29 July 1971, Objection No. 15 made by the former Yorkshire River Authority and noted in the Register on 1 February 1972 and Objection No. 2144 made by the former Thorne Rural District Council, and noted in the Register on 23 October 1972, and the conflicting registration at Entry No. 3 in the Land section of Register Unit No.CL.401 in the Register of Common Land maintained by the Council.

I held a hearing for the purpose of inquiring into the dispute at Doncaster on 19 January 1984. The hearing was attended by Mr P M Stowe, Solicitor, on behalf of the Thorne Town (formerly Parish) Council, the applicant for the registration, Mr P R Pennington, Solicitor, on behalf of the Doncaster Metropolitan Borough Council, Mr Mawson, Mr Sprake, Pashley, and Mr Whiteley, Mr W K Irving, the Legal Services Officer of the South Yorkshire Metropolitan County Council, Mr N Beddard, of Counsel, on behalf of British Railways Eastern Region, and Mr C Dunkley, the Principal Estate Officer of the British Waterways Board, Northern Region.

In a letter dated 3 January 1984 addressed to the Clerk of the Commons Commissioners Mr E J McGarry the Clerk of the Thorne Town (formerly Parish) Council, the applicant for the registration, stated that his Council wished to "withdraw" the application. No evidence in support of the registration was adduced on behalf of the other concerned authorities.

In these circumstances 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

26<sup>th</sup>

day of

January

1984

Chief Commons Commissioners.