



In the Matter of South End or Cold Shit Gyne,
Thorne, South Yorkshire

DECISION

These disputes relate to the registration at Entry No. 1 in the Land Section of Register Unit No. VG 127 in the Register of Town or Village Greens maintained by the South Yorkshire Metropolitan County Council and are occasioned by Objection No. 1381 made by British Railways Eastern Region and noted in the Register on 1 September 1971, Objection No. 2139 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 W K Irving, the Legal Services Officer of the South Yorkshire Metropolitan County Council, and Mr N Beddard, of Counsel, on behalf of British Railways Eastern 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

26th

day of

January

1984

E. J. L. Quinn

Chief Commons Commissioner