



COMMONS REGISTRATION ACT 1965

Reference Nos 241/D/71-73

In the Matter of Holmere Common, Whiteparish,
Wiltshire

DECISION

These disputes relate to the registration at Entry No 1 in the Land Section of Register Unit No.CL.6 in the Register of Common Land maintained by the Wiltshire County Council and are occasioned by Objection No. 46 made by Mr N Anderson and noted in the Register on 2 April 1971 and Objection No. 50 made by Mr E J Mather and Mr G J Barty-King and Objection No. 49 made by the Earl of Radnor and both noted in the Register on 19 April 1971.

I held a hearing for the purpose of inquiring into the dispute at Salisbury on 11 October 1979. The hearing was attended by Mrs D Hawes, a member of the Whiteparish Parish Council, the applicant for the registration, and by Mr M P Kolanko, of counsel, on behalf of Mr Mather and Mr Barty-King and Lord Radnor. There was no appearance by or on behalf of Mr Anderson.

While Mr Anderson's objection related to the whole of the land comprised in the Register Unit, the other two objections related to only a part of it. Mrs Hawes had no evidence that any of the land the subject of the latter two objections fell within the definition of "common Land" in S.22(1) of the Commons Registration Act 1965. Since there was no appearance by or on behalf of Mr Anderson, I shall treat the registration in respect of the remainder of the land as being unopposed.

In these circumstances I ~~shall~~ confirm the registration with the following modification: namely, the exclusion of the land the subject of objections Nos 49 and 50.

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

29th day of October

1979

Chief Commons Commissioner