



In the Matter of The Common, Marlborough,  
Wiltshire (No. 3)

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DECISION

This dispute relates to the registration at Entry No. 1 in the Land section of Register Unit No. CL 62 in the Register of Common Land maintained by the Wiltshire County Council and is occasioned by the conflicting registration at Entry No. 1 in the Land section of Register Unit No. VG 37 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 Salisbury on 9 December 1980. The hearing was attended by Mr M A Cluer, the Town Clerk of the Marlborough Town Council. The registration was made on the application of the former Marlborough Corporation and the conflicting registration was made by the former Wiltshire County Council as registration authority.

The land comprised in the Register Unit is the subject of a Scheme made by the former Marlborough Corporation under the Commons Act 1899 and approved by the Minister of Agriculture and Fisheries on 19 October 1937. This does not necessarily bring the land within the definition of "common land" in Section 22 (1) of the Commons Registration Act 1965. However, since there is no objection to the registration, so that it would have become final but for the conflicting registration, which was not supported by the County Council, I have decided to grant Mr Cluer's application that I should 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

17<sup>th</sup>

day of

December

1980

Chief Commons Commissioner