



JW

COMMONS REGISTRATION ACT 1965

Reference Nos. 260/D/203-205

In the Matter of Hinton Common, (40.501 ac), Dryham
and Hinton Avon, (No. 3)

DECISION

These disputes relate to the registration at Entry No. 1 in the Ownership section of Register Unit No.G/CL405 in the Register of Common Land maintained by the Avon County Council and are occasioned by Objection No. Ob. 209 made by Mrs H E Shepherd and noted in the Register on 24 June 1971, and Objection No. 362 made by Mr P C Girlestone and Objection No. 367 made by the Dryham and Hinton Parish Council and both noted in the Register on 19 July 1972.

I held a hearing for the purpose of inquiring into the dispute at Bath on 20 July 1983. The hearing was attended by Mr J D B Milner, of Counsel, on behalf of Mr J R W Blathwayt, the applicant for the registration, and by Mrs S Rae, the Clerk of the Dryham and Hinton Parish Council.

There was no appearance by or on behalf of Mrs Shepherd or Mr Girlestone.

Since by my decision in In the Matter of Hinton Common Dryham and Hinton (No.1) (1983), Ref. Nos. 197-199 I refused to confirm the registration in the Land Section of the Register Unit, it followed that I also refused to confirm this registration.

On being informed that Mrs H Higgins, an applicant for a registration in the Rights Section of the Register Unit, had not received notice of the hearing, I set aside my decision and reopened the hearing at Bath on 4 February 1984.

The reopened hearing was attended by Mr Milner on behalf of Mr Blathwayt and by Mrs Rae. Mr Milner informed me that he was instructed not to pursue the application.

In these circumstances I reiterate my refusal to confirm the registration.

I am required by regulation 50(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

1984

day of

March

1984

Chief Commons Commissioner