



In the Matter of Wickham Heath Common, Welford,
Berkshire

DECISION

This dispute relates to the registration at Entry No 1 in the Land section of Register Unit No CL 155 in the Register of Common Land maintained by the Berkshire County Council and is occasioned by Objection No 18 made by Mr C R Sutton and Sir Richard Sutton's Settled Estates and noted in the Register on 14 May 1970.

I held a hearing for the purpose of inquiring into the dispute at Newbury on 31 January 1978. The hearing was attended by Mr V R Chapman, of counsel, on behalf of the Objectors and by the Rev. S B Appleton, Clerk of the Welford Parish Council. There was no appearance by or on behalf of Mr J S C Simmons, the applicant for the registration.

In these circumstances I refuse to confirm the registration. Mr Chapman asked for an order for costs against Mr Simmons.

Mr Simmons, whose address on the application is in Twickenham, Middlesex, does not appear to have any connection with the parish of Welford. He has failed to answer any letters from the Objectors or their solicitors regarding this matter. I have formed the opinion that the application is both baseless and vexatious. I shall therefore make an order that Mr Simmons pay the Objectors' costs on County Court Scale 4.

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 20th day of March 1978

CHIEF COMMONS COMMISSIONER