



COMMONS REGISTRATION ACT 1965

Reference Nos 210/3/205 - 206

In the Matter of About 26.4 acres of Land,  
Portland, Weymouth and Portland,  
Dorset.

## DECISION

These disputes relate to the registration at Entry No. 3 in the land section of Register Unit No. CL 3 in the Register of Common Land maintained by the Dorset County Council and are occasioned by Objection No. 41 made by the Secretary of State for Defence and Objection No. 216 made by the Clerk of the former Portland Urban District Council and both noted in the Register on 1 June 1971.

I held a hearing for the purpose of inquiring into the dispute at Dorchester on 21 September 1976. The hearing was attended by Mr J S Morris, the applicant for the registration, Mr N. Butterfield, of Counsel, on behalf of the Secretary of State for Defence and by Mr R Doylend, solicitor, on behalf of the Weymouth and Portland Borough Council.

Mr Morris informed me that he wished to support the registration only in respect of a small triangle of land which was not the subject of either of the Objections. Mr Butterfield stated that this triangle of land had been omitted from Objection No. 41 by an oversight, whereupon Mr Morris stated that he did not wish to pursue the registration of this area.

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 17<sup>th</sup> day of March 1977

Chief Commons Commissioner