

JL

COMMONS REGISTRATION ACT 1965



Reference Nos. 210/D/231-233

In the Matter of Blackhill and Yearlings  
Bottom, Bere Regis, Dorset

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DECISION

These disputes relate to the registration at Entry No. 62/1 in the Land Section of Register Unit No. CL 62 in the Register of Common Land maintained by the Dorset County Council and are occasioned by Objection No. 321 made by Mr G A Debenham, Objection No. 459 made by the Clerk of the former Dorset County Council, and Objection No. 24 made by the Bere Regis Parish Council and all noted in the Register on 10 August 1971.

I held a hearing for the purpose of inquiring into the dispute at Dorchester on 30 November 1978. The hearing was attended by Mr R C W Gooch, Solicitor, on behalf of the Bere Regis Parish Council, the applicant for the registration, and by Mr D J Harper, Solicitor, on behalf of the Dorset County Council. There was no appearance on behalf of the Ramblers' Association, whose application had been noted under section 4(4) of the Commons Registration Act 1965.

On being informed that a covenant was being negotiated with Mr Debenham with a view to settling the dispute, I adjourned the hearing.

No such covenant being forthcoming, I restored the matter to the list on 22 April 1982, when Mr L Holly of the Dorset County Council Solicitor's Department showed me engrossments of an unexecuted agreement whereby the Parish Council would agree not to support the registration. I accordingly further adjourned the hearing.

On 27 June 1983 there was executed an agreement to which the Parish Council and Mr Debenham were parties whereby the Council agreed to consent to the application for the registration being dismissed.

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.

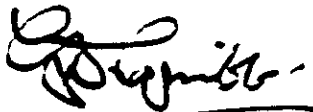
Dated this

21st

day of

July

1983

  
Chief Commons Commissioner