

LANDS ADMINISTRATION ACT 1965

Reference Nos 210/5/66 to 73  
inclusive

In the Matter of Horton Common,  
Horton, Wimborne D

DECISION

These disputes relate to the registrations at Entry No 16 in the Land Section and Entry Nos 2 to 5 inclusive in the Rights Section of Register Unit No CL. 16 in the Register of Common Land maintained by the Dorset County Council and are occasioned by:-

Objection No 181	made by Mr & Mrs D Perkins
" " 335	" " Mr H J R Barker
" " 350	" " Capt F W B Fryer
" " 358	" " The Rt Hon Earl of Shaftsbury
" " 755	" " The Dorset County Council

all noted in the Register on 13<sup>th</sup> January 1970.

I held a hearing for the purpose of inquiring into these disputes at Bournemouth on 28 April 1976. The hearing was attended by:-

Mr L I Holly and Mr D Harper on behalf of Dorset County Council  
 Mr H E Jackson on behalf of Wimborne District Council  
 Mr Jonathan Fulthorpe, counsel, instructed by Messrs Davies and Felton on behalf of the applicants for rights under Entry Nos 4 and 5  
 Mr Charles George, counsel, instructed by Messrs Gregory Rowcliffe on behalf of Mr H J R Bankes  
 Mr Clough of Messrs Preston & Redman on behalf of Mr & Mrs Perkins  
 Miss Cameron, counsel, instructed by Messrs Withers on behalf of The Earl of Shaftsbury

Mr Maton the applicant for rights under Entry No 3 did not appear.  
 Mrs Colyer a noted applicant for the Ramblers' Association also appeared.  
 Major Darling had by letter stated that he did not intend to pursue his claim for rights under Entry No 2 and Mr Fulthorpe stated that the applicants under Entry Nos 4 and 5 did not intend to pursue their claims to rights. In these circumstances and in view of Mr Maton's failure to appear I refuse to confirm the Entry Nos 2 to 5 inclusive in the Rights Section.

As regards the Entry in the Land Section, in the course of the hearing all parties other than the Ramblers' Association arrived at an agreement, and I have since the hearing been informed by the Ramblers' Association by a letter dated 29 June 1976 that the said agreement is acceptable to them and I am willing to give a decision which will give effect to that agreement as follows:-

I confirm the Entry No. 1 in the Land Section modified so as to exclude

- (1) The area of land hatched red on the plan annexed hereto comprising approximately 436 acres
- (2) The areas of land coloured blue on the said plan comprising approximately 4 acres
- (3) The area of land coloured black on the said plan comprising approximately 1.29 acres, and
- (4) The sites of the busuli coloured red on the said plan comprising approximately 4 acres

The land comprised in Entry No 1 modified as aforesaid is approximately 85 acres.

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 22<sup>nd</sup> day of July 1976

C. A. Seille

Commons Commissioner