



COMMONS REGISTRATION ACT 1965

Reference No. 210/D/407-411

In the Matter of The Green,
Holt, Wimborne D

DECISION

These disputes relate to the registration at (A) Entry No. 6 in the Land Section and (B) Entries No. 1 and 2 in the Rights Section of Register Unit No. VG 6 in the Register of Town or Village Greens maintained by the Dorset County Council. They are occasioned by (1) Objections No. 53 and 192 made by Dorset County Council and No. 334 made by Mr H J R Bankes all noted in the Register on 5 September 1971, (2) the conflicting registration at Entry No. 236 in the Land Section of Register Unit No. CL 236 in the Register of Common Land maintained by the Council.

I held a hearing for the purpose of inquiring into the dispute at Poole on 27 October 1980. The hearing was attended by Mr Holly, of the Registration Authority, Mr D R Holloway a member of Holt Parish Council and by Mr N Lock, Agent for Kingston Lacy Estates, representing Mr Bankes.

The registration as village green was made on the application of the Parish Council. The applicants for registration of rights of common did not appear. One, Mr E V Holloway, by a letter written in 1973 by his Solicitors, withdrew his registration: the other applicants are Mr and Mrs Pells (jointly) and I was told that they are no longer interested. Mr Bankes's objection is on the grounds that there are no common rights. In these circumstances I refuse to confirm the Entries at No. 1 and 2 in the Rights Section.

The Objections by Dorset County Council both relate to a part only of the land, these parts being shown on plans accompanying the objections. The Parish Council by a letter dated 16 October 1980 accepts the objections. As regards the conflicting registrations, I have in my Decision Reference 210/D/412-413 refused to confirm the registration as common land, which was only made in consequence of Mr Holloway's application to register his right of common. In the result therefore I confirm the registration as village green, modified to exclude the parts to which the County Council's objections relate.

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

5 November

1980

L. J. Morris
Commons Commissioner