

COMMONS REGISTRATION ACT 1965



Reference No. 210/D/530

In the Matter of The Green in the Borough  
of Weymouth and Portland

---

DECISION

This dispute relates to the registration at Entry No. 57 in the Land Section of Register Unit No. VG 57 in the Register of Town or Village Greens maintained by the Dorset County Council and is occasioned by Objection No. 114 made by the Borough of Weymouth and Melcombe Regis and dated 3 August 1970.

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. The registration was made by Mrs G A Thorne, Clerk to the Radipole Parish Council, a body which I understand does not exist. The Objection is on the ground that the land is not a town or village green within the meaning of the Commons Registration Act 1965. Mrs Thorne did not appear, and Mr Holly told me that the land is part of the highway: it was bought by the Weymouth Borough Council (to which the County Council is the successor highway authority) for highway development.

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

5 November

1980

*L. J. Morris Smith*

Commons Commissioner