

In the Matter of The Moors, Middlebere, Slepe,
Arne and Gold Point Heaths, Arne and Church Knowle,
Dorset (No. 3)

DECISION

These disputes relate to the registration at Entry No. 1 in the Ownership section of Register Unit No. CL 88 in the Register of Common Land maintained by the Dorset County Council and are occasioned by Objection No. 878 made by Mr N R C Smith and noted in the Register on 13 May 1971 and Objection No. 1037 made by Mr H J R Bankes and noted in the Register on 8 August 1972.

I held a hearing for the purpose of inquiring into the dispute at Dorchester on 22 April 1982. The hearing was attended by Mr E O Palmer, solicitor, on behalf of the personal representatives of the late Mr H J R Bankes, and I gave leave for The Oakley Jones Co. Ltd, the successors in title of Mr D E Scott, the applicant for the registration, to be represented by their land agent, Mr J A K Curtis. There was no appearance by or on behalf of Mr Smith.

The land in which The Oakley Jones Co. Ltd and Mr Smith were interested was excluded from the Register Unit by my decision in In the Matter of The Moors, Middlebere, Slepe, Arne, and Gold Point Heaths, Arne and Church Knowle (No. 1) (1982), Ref. Nos 210/D/467-471, so it only remains to deal with Objection No. 1037.

The grounds of Objection No 1037 are

- "1. That the land is not owned by the persons registered as owners.
- "2. That the land is owned by the objector".

It is not disputed that Mr Bankes was the owner of the land still comprised in the Register Unit. Mr Bankes died on 18 August 1981, and I therefore confirm the registration with the following modification; namely, the substitution for the words in column 3 of the words: "Peter Wardle Pierrepont, 1 Bedford Row, London WC1R 4BZ and John Ralph Bankes, 4 Pursers Cross Road, London SW6."

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.

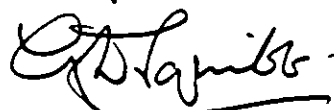
Dated this

29th

day of

April

1982



Chief Commons Commissioner