



In the Matter of the piece of land called
Waddock Cross, containing 1.5 acres or there-
abouts in the parish of Affpuddle, Dorset

Common Land

L. No. CL 355 in the Register of DECISION

This reference relates to the question of the ownership of land known as Waddock Cross in the parish of Affpuddle being the land comprised in the Land Section of Register Unit maintained by the Dorset County Council of which no person is registered under section 4 of the Commons Registration Act 1965 as the owner.

Following upon public notice of this reference there were rival claims to be the freehold owner of the land in question.

I held a hearing for the purpose of inquiring into the question of the ownership of the land at Dorchester on 24 June 1980.

Mr F J W Wilson of Messrs Tuff and Blanchard, Solicitors of Blandford Forum appeared on behalf of Miss M B Featherstonhaugh Frampton and Captain and Mrs P E McAllister each of whom claimed to be owners of a part of the land. Mr Wilson read a Statutory Declaration made by Mr David Thomas on the 18 June 1980. Mr Thomas is a partner in Messrs Humberts and had been personally responsible since 1968 for the management of the Moreton Estate of which Unit No. CL ~~6~~ forms part. *355* CL ~~6~~ comprises Enclosures Nos. 353 and 354 and was conveyed to Miss Frampton by Reginald Henry Charles Featherstonhaugh Frampton, the fee simple owner by Deed of Gift dated 20 August 1963. By a Conveyance dated 12 December 1975, Miss Frampton conveyed part of the unit known as No. 2 Waddock Cottages to Charles Thomas Pugh and Jane Lyon-Dalbug-Acton. A copy of the plan attached to that Conveyance is Exhibit 'DT6' to the Statutory Declaration. By a further Conveyance dated 2 January 1976 Miss Frampton conveyed another part of the unit known as No. 1 Waddock Cottages to Madam Mohan Sarup and Eileen Sarup. A copy of the plan attached to that Conveyance is Exhibit 'DT7'. Captain and Mrs P E McAllister claim to be the present owners of No. 1 Waddock Cottages and Mr and Mrs Pugh claim to be the present owners of No. 2 Waddock Cottages. Miss Frampton remains the owner of the rest of the unit. I have been supplied with a certified copy of an Entry of the Marriage of Charles Thomas Pugh to Jane Lyon-Dalbug-Acton on 13 December 1975 and a copy of a Conveyance of No. 1 Waddock Cottages by Madam Mohan Sarup and Eileen Sarup to Peter Eugene McAllister and Carole Moyra McAllister dated 14 February 1978. *C.T.H.*

On this evidence I am satisfied that (a) Peter Eugene McAllister and Carole Moyra McAllister are the owners of No. 1 Waddock Cottages which forms a part of Register Unit CL 355. (b) Charles Thomas Pugh and Jane Lyon-Dalbug-Acton (now Jane Lyon-Dalbug-Pugh) are the owners of No. 2 Waddock Cottages which forms another part of the said unit. (c) Mary Bridget Featherstonhaugh Frampton is the owner of the remainder of the said unit and I shall accordingly direct the Dorset County Council as registration authority, to register (1) Peter Eugene McAllister and Carole Moyra McAllister as the joint tenants in fee simple of that part of Register Unit CL ~~145~~ which is No. 1 Waddock Cottages (2) Charles Thomas Pugh and Jane Lyon-Dalbug-Pugh (formerly Jane Lyon-Dalbug-Acton) as the owners of that part of the said Register Unit which is No. 2 Waddock Cottages and (3) Mary Bridget Featherstonhaugh Frampton as the owner of the remainder of the said Register Unit under Section 8(2) of the Act of 1965.



-2-

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

8th

day of

September

1980

A handwritten signature in cursive script, appearing to read "George Hesketh".

Commons Commissioner