



In the Matter of Brockeridge Common, Twynning,
Gloucestershire (No. 1)

DECISION

This dispute relates to the registration at Entry No. 1 in the Land section of Register Unit No. CL 265 in the Register of Common Land maintained by the Gloucestershire County Council and is occasioned by Objection No. Ob. 695 made by Mr B C Ball and noted in the Register on 8 January 1973.

I held a hearing for the purpose of inquiring into the dispute at Cheltenham on 25 November 1980. The hearing was attended by Mr E J Harcombe, the successor in title of Mr D C Harcombe, in consequence of whose application for a registration in the Rights section of the Register Unit this registration was made, and by Miss Sheila Cameron, of counsel, on behalf of the Objector.

Miss Cameron informed me that she was instructed not to pursue the Objection.

In these circumstances I confirm the registration.

Miss Cameron also invited me to confirm the registration in the Ownership section of the Register Unit of Mr Ball as the owner of the whole of the land comprised in the Register Unit. To this registration there was no objection, there is no note in the Register that it has become final. Presumably this is because the Objection which occasioned the dispute the subject of this reference was regarded as an objection to the registration in the Ownership section. However, whilst the Objection has by virtue of section 5(7) of the Commons Registration Act 1965 to be treated as being also an objection to the registrations in the Rights section of the Register Unit, there is no similar provision whereby it can be treated as being also an objection to the registration in the Ownership section. That registration has become final in default of objection to it, and I have therefore no jurisdiction with regard to it.

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

2nd

day of

December

1980


CHIEF COMMONS COMMISSIONER