



In the Matter of West Bank, Crowland, Lincolnshire
(No. 2)

DECISION

These disputes relate to the registration at Entry No 1 in the Ownership section of Register Unit No. CL 48 in the Register of Common Land maintained by the former Holland County Council and are occasioned by Objection No. 104 made by the former Deeping Fen, Spalding and Pinchbeck Internal Drainage Board and noted in the Register on 16 December 1970, and Objection No 195 made by the former Welland and Mene River Authority and noted in the Register on 10 May 1971.

I held a hearing for the purpose of inquiring into the dispute at Spalding on 13 April 1978. The hearing was attended by Dr D G Teall, the applicant for the registration, Mr R J Moverley, of Counsel, on behalf of the Anglia Water Authority, the successor of the former River Authority, and by Mr C P Bennett, solicitor, on behalf of the Welland and Deepings Internal Drainage Board, the successor of the former Internal Drainage Board.

For the reasons given in my decision in In the Matter of West Bank Crowland (No. 1) (1978) Ref. Nos 22/D/19 - 20 I have refused to confirm the registration at Entry No 1 in the Land section of the Register Unit. It therefore follows that I must refuse to confirm this registration. Both Mr Moverley and Mr Bennett applied for orders for costs in favour of their respective clients. I do not regard this as a proper case for orders for costs.

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 21st day of

July

1978

CHIEF COMMONS COMMISSIONER