



COMMONS REGISTRATION ACT 1965

Reference Nos. 232/D/10-11

In the Matter of Withycombe Scruffets,
Withycombe, Somerset (No.2).

DECISION

These disputes relate to the registrations at Entries Nos.1 and 2 in the Rights Section of Register Unit No.CL.191 in the Register of Common Land maintained by the Somerset County Council and are occasioned by Objections Nos.0/96 and 0/97 made by the Crown Estate Commissioners and noted in the Register on 5th November 1970 and 13th November 1970 respectively.

I held a hearing for the purpose of inquiring into the disputes at Taunton on 9th October 1974. The hearing was attended by Mr.R.Wakefield, of counsel, on behalf of Mr.A.T.Case, Chairman of the Withycombe Parish Council, the applicant for the registration at Entry No.1, and by Mr. S.J.Sher, of counsel, on behalf of the Objectors. Mr.J.R.Lamacroft and Mrs.D.A.Lamacroft, the applicants for the registration at Entry No.2, did not appear and were not represented.

For the reasons given in my decision in In the Matter of Withycombe Scruffets, Withycombe (No.1) (1974) 232/D/9 I refuse to confirm the registration at Entry No.1. I also refuse to confirm the registration at Entry No.2 in the absence of any evidence to support 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 23rd day of October 1974

Chief Commons Commissioner