



COMMONS REGISTRATION ACT 1965

Reference No. 241/D/65-66

In the Matter of Cowesfield Green, Whiteparish,  
Wiltshire, (No. 2)

DECISION

These disputes relate to the registration at Entry No 1 in the Rights Section of Register Unit No. CL.5 in the Register of Common Land maintained by the Wiltshire County Council and are occasioned by Objection No. 16 made by Mr K L Danks and Objection No. 83 made by Mrs Y J F Sutton and both noted in the Register on 6 September 1972.

I held a hearing for the purpose of inquiring into the dispute at Salisbury on 11 October 1979. The hearing was attended by Mr S F Stevens the applicant for the registration, and Mr P Lloyd, Solicitor on behalf of Mr and Mrs A H Skinner, the successors in title of Mr Danks.

There was no appearance by or on behalf of Mrs Sutton.

The registration is of grazing rights in respect of 8 beasts and their young and also the right to take tree loppings or underwood attached to Yew Tree Farm, Whiteparish. It is not stated in the Register over which land the rights are exercisable, but it appears from Mr Steven's application that he was alleging that he was entitled to rights over the whole of the land comprised in the Register Unit. Mr Stevens stated that he did not wish to support the registration in so far as it related to the right to take tree loppings or underwood.

For the reasons stated in my decision in In the Matter of Cowesfield Green Whiteparish (No.1) (1979) Ref. No. 241/D/64, I am satisfied that grazing rights in respect of 8 beasts and their young over the major part of the land comprised in the Register Unit are attached to Yew Tree Farm. Since I have decided that the remainder of the land comprised in the Register Unit should be excluded from it, I confirm the registration with the following modifications, namely, the deletion of the words "and also the right to take tree loppings or underwood" and the addition of the words "over the whole of the land comprised in this Register Unit"

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 November 1979

Chief Commons Commissioner