



COMMONS REGISTRATION ACT 1965

Reference No.204/D/9

In the Matter of Stanmoor Hall Pit, Newton Road,
Whittlesford, Cambridgeshire.

DECISION

This dispute relates to the registration at Entry No.1 in the Land section of Register Unit No.CL 68 in the Register of Common Land maintained by the former Cambridgeshire and Isle of Ely County Council and is occasioned by Objection No.52 made by that County Council and noted in the Register on 9th September 1970.

I held a hearing for the purpose of inquiring into the dispute at Cambridge on 23rd October 1975. The hearing was attended by Mr E.R.Parker, a member of the Whittlesford Parish Council, the applicant for the registration, and by Mr G.F.Taylor, solicitor, on behalf of the Cambridgeshire County Council.

There is no entry in the Rights section of the Register Unit and Mr Parker did not contend that the land comprised in the Register Unit is waste land of a manor not subject to rights of common. I am therefore bound by the decision of Goff J. (as he then was) in Central Electricity Generating Board v.Clwyd County Council (1975), 235 Estates Gazette 299 to hold that the land in question does not fall within either limb of the definition of "common land" in section 22(1) of the Commons Registration Act 1965.

For these reasons I refuse to confirm the registration.

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 12th day of November 1975

Chief Commons Commissioner