COMMONS REGISTRATION ACT 1965

Reference Nos 22/D/9-10

In the Matter of First Drove, Second Drove and two
side turnings off Second Drove in Crowland Fodder
Lots and Crowland Low Wash, Crowland, Lincolnshire
(No 2)

DECISION

These disputes relate to the registration at Entry No 1 in the Ownership section
of Register Unit No CL 51 in the Register of Common Land maintained by the former
Holland County Council and are occasioned by Objection No. 110 made by the former
Deeping Fen, Spalding and Pinchbeck Internal Drainage Board and noted in the
Register on 16 December 1970 and by Objection No 209 made by the National Farmers
Union and noted in the Register on 20 July 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, and by Mr C P Bennett, solicitor, on behalf of the Welland and
Deepings Internal Drainage Board, the successor to the Deeping Fen, Spalding and
Pinchbeck Internal Drainage Board. The solicitors for the National Farmers
Union informed the Clerk of the Commons Commissioners by letter dated 20 March 1978
that their client's objection was "withdrawn".

Dr Teall appeared as successor to the estate of the late Mrs A M Teall, the
applicant for the registration.

Having refused to confirm the registration in the Land section of the Register
Unit, I can only refuse to confirm this registration.

Mr Bennett asked for an order for costs. Dr Teall having taken upon himself the
burden of supporting the registration, I take the view that he must suffer the
usual fate of an unsuccessful litigant. I shall therefore order him to pay the
costs of the Internal Drainage Board on County Court Scale 4.

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 5th day of July   1978

CHIEF COMMONS COMMISSIONER