



COMMONS REGISTRATION ACT 1965

Reference Nos. 239/D/13-14

In the Matter of Old Green Lane and Old Cathiron
Lane, Harborough Magna, Warwickshire (No. 1)

DECISION

These disputes relate to the registration at Entry No. 1 in the Land Section of Register Unit No. CL 56 in the Register of Common Land maintained by the Warwickshire County Council and are occasioned by Objection No. 17 made by Mr H W Barnes and noted in the Register on 1 October 1970 and Objection No. 49 made by the British Waterways Board and noted in the Register on 21 June 1971.

I held a hearing for the purpose of inquiring into the dispute at Rugby on 10 November 1982. The hearing was attended by Mr C Peachey, Solicitor; on behalf of the British Waterways Board and Mr K R James, Solicitor, on behalf of Mr Barnes, and I gave leave for Mr H Boughton-Leigh, the successor in title of Mr A H C W Boughton-Leigh, the applicant for the registration in the Rights Section of the Register Unit, to be represented by Mr L H Knowles, chartered surveyor.

Mr Knowles informed me that Mr H Boughton-Leigh wished to "withdraw" the application for the registration in the Rights Section.

In the absence of any evidence that the land comprised in the Register Unit falls within the definition of "Common Land" in Section 22(1) of the Commons Registration Act 1965, 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

1982

day of

November

1982

G. J. Tapscott

Chief Commons Commissioner