

COMMONS REGISTRATION ACT 1965



Reference Nos. 260/D/216-217

In the Matter of Hinton Common (5.20 acres)
Dryham and Hinton, Avon (No.3)

DECISION

These disputes relate to the registration at Entry No. 1 in the Ownership section of Register Unit No.G/CL.404 in the Register of Common Land maintained by the Avon County Council and are occasioned by Objection No.Ob.361 made by Mr P C Girdlestone and Objection No. Ob.366 made by the Dryham and Hinton Parish Council and both noted in the Register on 16 July 1972.

I held a hearing for the purpose of inquiring into the disputes at Bath on 20 July 1983. The hearing was attended by Mr J D M Milner, of Counsel, on behalf of J R W Blathwayt, the applicant for the registration, and by Mrs S Rae, the Clerk of the Dryham and Hinton Parish Council. There was no appearance by or on behalf of Mr Girdlestone.

Since by my decision in In the Matter of Hinton Common, Dryham and Hinton (No.1) (1983).Ref. Nos. 208-209) I refused to confirm the registration in the Land Section of the Register Unit, it followed that I refused to confirm the registration.

On being informed that Mrs M Higgins, an applicant for a registration in the Rights Section of the Register Unit, had not received notice of the hearing, I set aside my decision and reopened the hearing at Bath on 21 February 1984.

The reopened hearing was attended by Mr Milner of behalf of Mr Blathwayt and by Mrs Rae.

Mr Milner informed me that he was instructed not to pursue the application.

In these circumstances I reiterate my refusal to confirm the registration.

I am required by regulation 50 (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

March

1984

Chief Commons Commissioner