



COMMONS REGISTRATION ACT 1965

Reference No. 260/D/197-199

In the Matter of Hinton Common, Dyrham and
Hinton, Avon (No.1)

DECISION

These disputes relate to the registration at Entry No. 1 in the Land section of Register Unit No.G/CL.405 in the Register of Common Land maintained by the Avon County Council and are occasioned by Objection No. Ob. 187 made by Ms M E Shepherd and noted in the Register on 24 June 1971, Objection No. Ob. 369 made by the Dyrham and Hinton Parish Council and noted in the Register on 19 July 1972, and Objection No. Ob.691 made by the former Gloucestershire County Council and noted in the Register on 3 January 1973.

I held a hearing for the purpose of inquiring into the dispute at Bath on 20 July 1983. The hearing was attended by Mr J D B Milner, of Counsel, on behalf of Mr J R B Blathwayt, the applicant for the registration, and the Parish Council was represented by Mrs S Rae, its Clerk, and the Avon County Council by Miss D Jenkins Evans, Solicitor. There was no appearance by or on behalf of Ms Shepherd or of Mrs Mabel Higgins and Mr V U R Higgins, the applicants for registrations in the Rights section of the Register Unit.

Mr Milner informed me that he was instructed not to support the registration in so far as it related to most of the land comprised in the Register Unit. This only left for consideration a small triangle of land at a road junction in the village of Dyrham. On this triangle there is a seat and a sign-post pointing to the church, but there was no evidence as to who placed the seat or the sign post there.

I was not satisfied on this evidence that the triangle of land is waste land of the manor of Dyrham and Hinton and, since there was no evidence in support of either of the registrations in the Rights Section of the Register Unit, I therefore 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

27th

day of

July

1983

Chief Commons Commissioner