



COMMONS REGISTRATION ACT 1965

Reference No 215/D/96

In the Matter of Ragged Stone Hill,
Berrow and Eastnor, Malvern Hills D

DECISION

This dispute relates to the registration at Entry Nos 2, 3, 4, 5, and 6 in the Rights Section of Register Unit No CL. 11 in the Register of Common Land maintained by the former Worcestershire County Council and is occasioned by Objection No 31 made by the Malvern Hills Conservators and noted in the Register on 12 November 1970.

I held a hearing for the purpose of inquiring into the dispute at Worcester on 16 June 1976. The hearing was attended by Mr J D Schooling on behalf of the Malvern Hills Conservators and by Mr Wood on behalf of Mr Harper the successor to Miss Rigby the applicant under Entry No 2 and on behalf of Miss Albright the applicant under Entry No 4. Mr Howell the applicant under Entry No 6 appeared in person.

The applicants under Entry Nos 3, 5 and 6 have the benefit of final registrations in other Units in the Malvern Hills for the same animals as those for which they have claimed on this Unit and for this reason I refuse to confirm Entry Nos 3, 5 and 6.

Miss Rigby and Miss Albright have claimed for the same animals on this Unit and Unit No CL. 10 and it was agreed that I shall confirm Entries 2 and 4 modified as follows.

Entry No 2 By deleting all the words in column 4 and substituting therefor the following words:-
"The right to graze 5 sheep or 1 head of cattle or 1 horse on this Unit and Unit No CL. 10 but so that the number of animals grazed on this Unit and CL. 10 at any one time shall not exceed 5 sheep or 1 head of cattle or 1 horse."

Entry No 4 By deleting all the words in column 4 and substituting therefor the following words:-
"The right to graze 16 stints each of 10 sheep or 2 cattle or 2 horses over this Unit and CL. 10 but so that the number of stints grazed over this Unit and CL. 10 at any one time shall not exceed 16 stints."

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

1976

C. A. Little
Commons Commissioner.