



COMMONS REGISTRATION ACT 1965

Reference No 215/D/109

In the Matter of The Old Hills,  
Powick, Malvern Hills D

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DECISION

This dispute relates to the registrations at Entry Nos 11, 19, 20, 22 to 26 inclusive, 30, 31 and 33 to 48 inclusive in the Rights Section of Register Unit No CL. 28 in the Register of Common Land maintained by the former Worcestershire County Council and is occasioned by Objection No 39 made by the Malvern Hills Conservators and noted in the Register on 16 November 1970.

I held a hearing for the purpose of inquiring into the dispute at Worcester on 17 June 1976. The hearing was attended by Mr J D Schooling who appeared for the Malvern Hills Conservators; Mr V F Bohm appeared for the applicants under Entry Nos 22 to 26 inclusive, 30, 31 and 33 to 39 inclusive; the applicant under Entry No 11 appeared in person; the applicants under Entry Nos 19, 20 and 48 did not appear.

I was told that Entry Nos 40 to 47 inclusive had been withdrawn and I therefore refuse to confirm these Entries, the applicant under Entry No 19 not having appeared to support his application I refuse to confirm that Entry. I also refuse to confirm Entry No 20 for the reason that the applicant's registration on another Unit on the Malvern Hills is final and if I were to confirm his application on this Unit I would be doubling the number of animals he is entitled to graze on commons in the Malvern Hills which are I am told except as regards CL. 9 one common for all purposes except on the Register.

As regards the Entries set out in the Schedule to this decision it was agreed at the hearing that I should confirm these Entries modified so as to confer upon each applicant the right to graze the number of stints set opposite the number of his or her Entry in the said Schedule; one stint being the right to graze 10 sheep or 2 cattle or 2 horses.

The Schedule above referred to

Number of Entry	Number of stints
11	35
22	4
23	7
24	10
25	5
26	1
30	15
31	8
33	2 $\frac{1}{2}$
34	10
35	16
36	8
37	1
38	4
39	8
48	2 $\frac{1}{2}$



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

21

day of

July

1976

C A Selth

Commons Commissioner