



COMMONS REGISTRATION ACT 1965

Reference Nos.268/D/71,72,74

In the Matter of The Green, Little Barugh,
Barugh (Great and Little), North Yorkshire (No.3)

DECISION

These disputes relate to the registrations at Entry Nos.1 to 6 in the Rights Section of Register Unit No.CL 28 in the Register of Common Land maintained by the former North Riding County Council and are respectively occasioned by Objection No.0446 made by Miss E.Bowes and noted in the Register on 27th July 1972, the Objection made by Mrs A.Metcalf and noted in the Register on 2nd August 1972 and the conflicting registration at Entry No.1 in the Land Section of Register Unit No.VG 194 in the Register of Town or Village Greens maintained by the Council.

I held a hearing for the purpose of inquiring into the disputes at Malton on 12th February 1975. The hearing was attended by Mr B.Robinson, surveyor on behalf of the Objectors.

The land comprised in the Register Unit consists of a number of pieces of land on either side of the road passing through the village of Little Barugh. Two of these pieces lie at the southern end of the village and are known as the Low Green. There are six registrations in the Rights Section of the Register Unit, one of them (No.6) being a right to graze 2 sheep and 12 geese over the whole of the land comprised in the Register Unit made on the application of Mr Arthur Dring.

Both the Objections relate to Mr Dring's registration, but only in so far as it consists of a right to graze 12 geese on the Low Green. The conflicting registrations are attributable to the fact that the land comprised in this Register Unit has been also registered in the Land Section of the Register of Town or Village Greens. There being no evidence to support the registration in the Register of Town or Village Greens, I confirm the registrations the subject of these disputes, subject to the Objections.

Mr Dring did not appear nor was he represented. Therefore, in the absence of any evidence to support the disputed part of his registration, I confirm the registrations with the following modification of the registration at Entry No.6, namely the addition at the end of the Entry of the words: "except the part thereof known as the Low Green and the right to graze 2 sheep over the Low Green".

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 17th day of March 1975

Chief Commons Commissioner