



Reference Nos 209/D/398  
209/D/399

COMMONS REGISTRATION ACT 1965

In the Matter of Hamel Down  
(part of) and Challacombe  
Down, Manaton, Teignbridge  
District, Devon

DECISION

These disputes relate to the registrations at Entry No. 1 in the Land Section and at Entry Nos. 1 to 45 inclusive (36 having been replaced by Nos 47 and 48) in the Rights Section of Register Unit No. CL 109 in the Register of Common Land maintained by the Devon County Council and are occasioned by the Objections numbered, made by the persons and noted in the Register as specified in the First Schedule hereto.

I held a hearing for the purpose of inquiring into the disputes at Exeter on 14 March 1984. At the hearing (1) the Attorney-General for the Duchy of Cornwall who made Objections Nos. 191 and 454 was represented by Mr C Sturmer the land agent for their Dartmoor Estate; (2) Mr Claude Drew Pike who made Objection No. 21 and applied for the registration at Rights Section Entry No. 5 attended in person; (3) Mr William Gordon Hambley who made Objection No. 247 and who applied for the registration and Rights Section Entry No. 43 was also represented by Mr C Sturmer; (4) Lady Sylvia Rosalind Pleadwell Sayer who with Sir Guy Bouchier Sayer applied for the registration at Rights Section Entry No. 3 attended in person and as representing him; (5) Admiral Sir James H F Eberle as successor of Mr David Miller Scott who applied for the registration at Rights Section Entry No. 4 was also represented by Lady Sayer; (6) Mr Keith Stephen Fox who applied for the registration at Rights Section Entry Nos, 6, 7 and 8 was represented by Mr P J R Michelmores, chartered surveyor of Michelmores Hughes, Chartered Surveyors of Newton Abbot; (7) Mrs Eleanor Nancy Smallwood who applied for the registration at Rights Section Entry No. 35 was also represented by Lady Sayer; and (8) Mr Christopher William Restarick Beeson who applied for the Rights Section registration at Entry No. 44 attended in person.

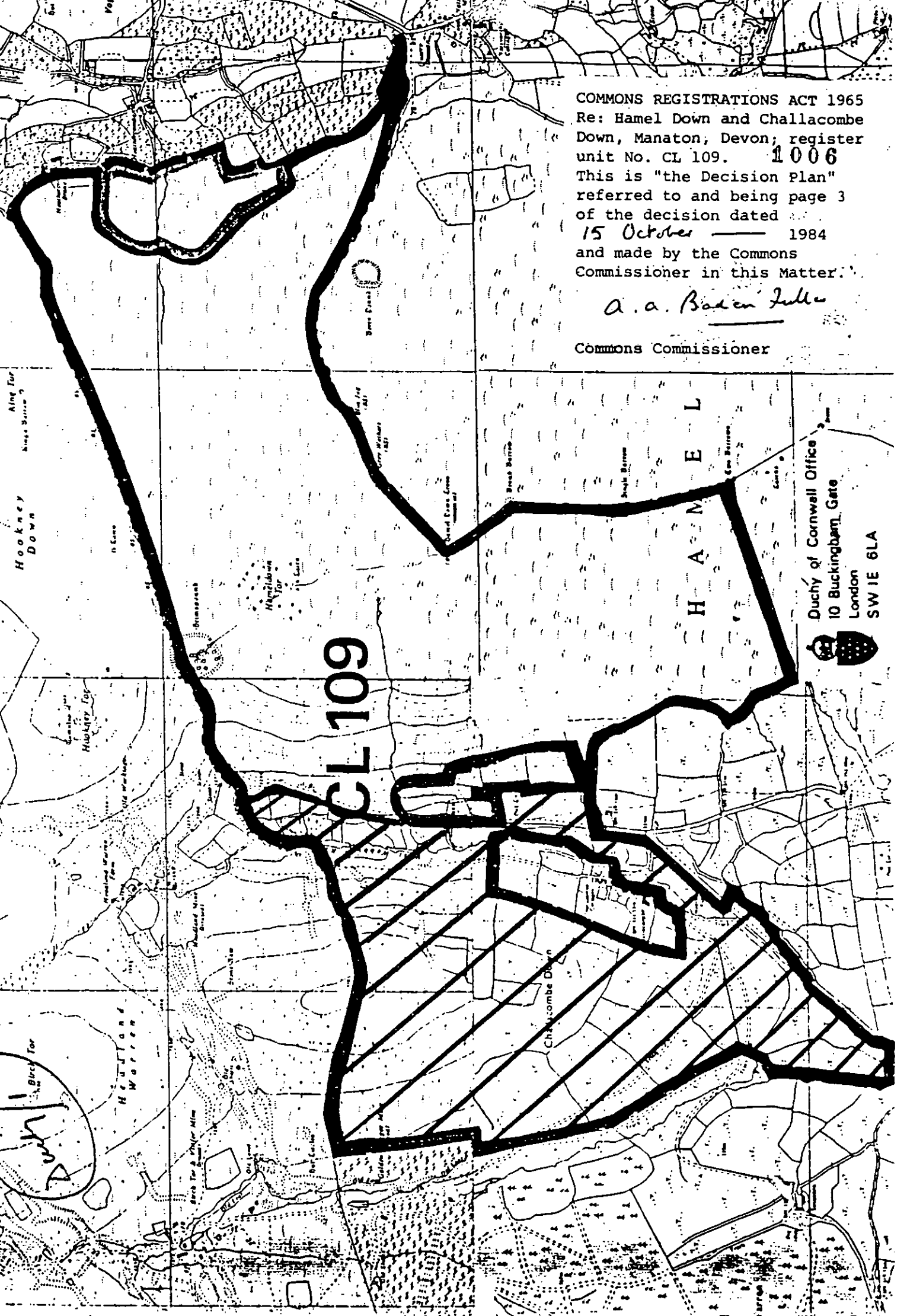
The land ("the Unit Land") in this Register Unit is a tract having a length from east to west of about 2 miles and a width varying between about  $1\frac{1}{2}$  and  $\frac{1}{2}$  of a mile. It is crossed by a road ("the north-south road"), a public highway fit for motor traffic. For the purpose of this decision, I divide the Unit Land into 4 parts defined in the Second Schedule hereto, and therein and hereinafter called the "Challacombe Down part", the "Challacombe east of the road part", the "Heathercombe part" and the "Hamel Down part". The Challacombe Down part (west of the north-south road) comprises the area (or most of it) known as Challacombe Down (summit above 1,400 feet); it surrounds an area about 250 yards long from north to south and about 150 yards wide which is not in this register unit and



which comprises enclosed land including Challacombe Cottages, and Challacombe Farm buildings. The Hamel Down part (east of the north-south road) is an L-shape tract including Hamel Tor (1,732 feet); it is part of a larger area known as Hamel Down, the rest of which (CL 67) is in the parish of Widecombe-in-the-Moor; the Hamel Down part is (more or less) the western and northern slopes of the ridge marked by stones on the OS map called: "Hameldown Beacon", "Two Barrows", "Single Barrow", "Broad Barrow", "Hamel Down Cross", "Grey Wethers", and "Blue Jug"; the part surrounds an area about 250 yards long from north to south and about 100 yards wide, being enclosed lands adjoining or near to the north-south road. The Challacombe east of the road part and the Heathercombe part are much smaller than the other two, see the Second Schedule hereto. In the Ownership Section Mr C D Pike is registered as owner of the Hethercombe part, and HRH Charles Prince of Wales, Duke of Cornwall is registered as a owner of the remainder of the Unit Land, and these two registrations being undisputed have become final.

At the beginning of the hearing the questions requiring my decision were clarified by the following statements. Lady Sayer said that those she represented did not claim rights over the Heathercombe part or over the Challacombe Down part. Mr Sturmer produced a map (Duchy/500) showing hatched red the combined effect of Duchy Objection No. 191 and Hambley Objection No. 247; an uncoloured copy of such map ("the Decision Map") is page 3 of this decision; on it the red hatching appears as a black northwest-southeast lines. Mr Sturmer said that Objection No. 454 was withdrawn except that as against registration at Entry No. 37 and 38, such withdrawals did not extend to withdrawing objection to "piscary" in No. 37 or "to take wild animals, birds and fruit" in No. 38. See below as to subsequent discussion of the Rights Section registrations. All present at the hearing agreed that I might give full effect to Pike Objection No. 21 by excluding from the Register the Heathercombe part, and that I might give full effect to Duchy Objection No. 191 and Hambley Objection No. 247 by excluding from the Register the Challacombe Down part and the Challacombe east of the road part. Lady Sayer produced a County Council letter (Sayer/501) about the registrations made on the application of Admiral Sir Guy Sayer and herself and said that she had checked with the County Council that such letter could be taken to refer to the registrations of Admiral Sir James Eberle and Mrs Smallwood (Nos. 4 and 35). Mr Michelmore on behalf of Mr K S Fox said that in the registrations at Entry Nos. 6, 7 and 8 the word 'stray' should be modified to 'graze'; about this Mr Sturmer said that the land mentioned in the registrations are holdings in Venville according to the Dutchy records and that accordingly the Duchy would not oppose such a modification; Lady Sayer and Mr Beeson said they too were agreeable to such a modification.

Next Mr C D Pike gave oral evidence in the course of which he produced or referred to the documents specified in Part III of the Third Schedule hereto. In his statement (CDP/1) he said (in effect):- The **Heathercombe part is part of his** Heathercombe Forestry Estate, subject to a forestry dedication deed of covenant dated 5 April 1962 made by his predecessor in title, Devon and Courtenay Clay Co Ltd. He bought the Estate on 1 July 1965. As part of the Estate, the Heathercombe part has since then been progressively afforested. Nobody had claimed or attempted to use it for commonable animals or for any other common purpose. It is



COMMONS REGISTRATIONS ACT 1965  
 Re: Hamel Down and Challacombe  
 Down, Manaton, Devon; register  
 unit No. CL 109. 1006  
 This is "the Decision Plan"  
 referred to and being page 3  
 of the decision dated  
 15 October 1984  
 and made by the Commons  
 Commissioner in this Matter.

*A. A. Baden Fuller*

Commons Commissioner

Duchy of Cornwall Office  
 10 Buckingham Gate  
 London  
 SW 1E 6LA



CL 109

HAMEL

Hookney Down

Challacombe Down

*Duch*



now covered with trees in the main 15-25 feet tall and not available for grazing. The Estate was owned by the Kitson family from the 1860s until its purchase by Devon and Courteney Clay Co Ltd in 1948. Mrs Kitson (sister of General Sir Richard Hull) who lived on the Estate for many years confirmed that the common stock had always been kept off the land, as did the employee Mr G Webber who for 30 years had taken care of the coarse grazing on the Estate. Mr Pike amplified his said statement saying that he had a long root of title to the property. that it is now fully afforested with a variety of conifers with some hardwoods and that he has a photocopy of the Tithe map and that (as recorded in the memo CDP/2 specified in the said Part III) neither it nor the Apportionment Award includes the Heathercombe part among the lands listed as Commons.

Next Mr Sturmer who is and has been since 1970 land agent for the Duchy Dartmoor Estate and been employed by them since 1961, gave oral evidence in support of Objections Nos. 191 and 247 in the course of which he produced the documents specified in Part IV of the Third Schedule hereto. He said (in effect):- The Duchy had written to all the persons concerned with the registrations and those who had replied (nearly all) agree to the Challacombe Down part and the Challacombe East of the road part being removed from the Register (see Duchy/502 and 503). These parts are now all part of the land known as Challacombe Farm. Historically as appears from a map and terrier (Duchy/505 and 506) this farm was originally 5 holdings; each of the 5 holdings had an undivided and equal share of the land known as West Down Common; over the years the holdings have been amalgamated into one and what was then known as West Down Common is now known as Challacombe Common. (see Duchy/509 and 510). When the Duchy purchased in 1981 (Duchy/511), Mr Norman Hambley was tenant of the Farm.

Next Mr William Gordon Hambley who was born at Challacombe and left in 1971 having lived there for more than 50 years, gave oral evidence in the course of which he said (in effect):- The Norman Hambley named in the proposal (Duchy/512) was his father who held under the tenancy agreement he produced (Duchy/512 bis). He in succession to his father took over in 1949 and had in 1951 an agreement (Duchy/514). During his tenancy he removed any animals not belonging to him from the Farm (meaning from the Challacombe Down part and the Challacombe east of the road part); his father before him did the same. As he first remembered there were 3 gates: the Cross Gate (across the north-south road at a point approximately due east of the "t" of "West Webburn River" marked on the Register map), the Blue Gate (across the north-south road at a point about 650 yards south of the guide post marked on the Register map at "1094 GP"), and the Redwater Gate (across the side road to Postbridge at a point near the southwest corner of the Unit Land); these gates were there until the late 1930s (the beginning of the war), and prevented cattle off these roads from the other side of the gates straying onto the Challacombe parts of the Unit Land; these gates fell out of use when there were more and more vehicles using the roads making it difficult to keep them shut. The enclosures effected by the gates are shown on the OS 1884/1902 OS map.

Next Mr Peter Sean Cullum who in 1972 took over Challacombe Farm from Mr W G Hambley, gave oral evidence in the course of which he said (in effect):- The Farm he took over is identical with that held by Mr Hambley. He "evicted" from the Farm any stock which did not belong to him; since 1972, nobody had claimed a right of common over it (meaning the Challacombe Down part and the Challacombe east of the road part); there had been no digging of peat or taking of sand or anything like. It was all fenced in either by stone walls or wire fences as he described (in detail). Without these parts Challacombe would not be a viable farm.



On the above summarised evidence, nobody at the hearing contending otherwise, I conclude that neither the Challacombe Down part nor the Challacombe east of the road nor the Heathercombe part were properly included in the Register and that none of the rights specified in the Rights Section extend over such parts. It being clear that the Hamel Down part is subject to rights of Common, I confirm the registration at Land Section Entry No. 1 with the modification that the said three parts be removed from the Register and that the words "and Challacombe Down" be deleted from the registration. The consequential result will be that any of the Rights Section registrations hereinafter confirmed by me will extend only to the Hamel Down part.

Next I considered the Rights Section registrations so far as they relate to the Hamel Down part. About them, those at the hearing had no differences, so I had no formal evidence, and only a little (helpful so far as it went) information and discussion.

The registrations at Entry Nos. 3, 4 and 35 supported by Lady Sayer, received the most attention. No. 3 is within County Council Objection No. 793 but is not particularly within any other Objection; Nos. 4 and 35 are both within Duchy Objection No. 454 and respectively within County Council Objections Nos. 793 and 1128. Lady Sayer in addition to referring (as above recorded) to a County Council letter (Sayer/501) produced her statement (Sayer/502); in it she said (stating its effect shortly) that the lands to which the Rights claimed are attached are in Venville, and that essentially the same registrations of Rights over Register Unit No. 148 (Headland Warren Hookney Down, etc, which adjoin the north boundary of the Hamel Down part) had been confirmed by the Chief Commons Commissioner in his decision dated 17 February 1976. Mr Sturmer having withdrawn the Duchy Objection agreed that the lands were in Venville. The Duchy are the undisputed owners of the Hamel Down part, and their recognition of the rights is some evidence that they exist. In the absence of any suggestion that I should do otherwise, I confirm the registrations as stated in paragraph 2 of the decision table being the Third Schedule hereto.

Mr Sturmer of the 42 other Rights Section registrations said that the Duchy accept that they were all in Venville save that he was unsure or doubtful about Nos. 10, 11 and 12, thought that Nos. 9 and 41 were possibly only part in Venville, that rights are attached to the lands specified at Nos. 37 and 38 although no Venville payments for them have been recorded and that Nos. 40, 42 and 45 are or may not be in Venville. He later explained that he had cooperation from all the persons concerned with the registrations to which the Duchy had made no objection and that it would be at least contrary to their expectation if I was to avoid altogether any such.

My general conclusion is that except as regards the 8 registrations of "to stray", I ought as regards the remaining 34 registrations to confirm them as I am confirming Nos. 4 and 35, whether or not they are within Duchy Objection No. 454. Exceptionally as regards registrations within the Objection, I shall delete "piscary" and "wild animals and birds" where they occur because at other hearings about Register Units in Dartmoor National Park, I have had evidence of Mr Sturmer against these alleged rights and I shall therefore treat any concession of his as not extending to them. As regards registrations not within the Objection, I



consider the Duchy's non-inclusion of them is reason enough for disregarding any uncertainty or doubt at the hearing felt by Mr Sturmer about their Venville status. As to Nos. 20, 23, 28 and 32 I disregard the letter to the County Council (yellow forms) in 1971 signed by Lt Col P R Layne-Joynt, Mr E H Woodward and Mr W H Norrish agreeing their cancellation, because I infer that they were signing on the basis that the Duchy Objection No. 454 (now withdrawn) would be prosecuted. As regards Entry No. 43 (Mr W G Hambley), I accept Mr Sturmer's suggestion that the limitation in it to the lettered B land has been shown to be anomalous by the evidence given at the hearing about the Hamel Down part in relation to the other parts of the Unit Land. On these considerations my decision about these registrations is as set out in paragraph 3 of the decision table being the **Fourth Schedule hereto.**

The remaining 8 registrations are expressed as a right "to stray". In my decision dated 30 June 1983 re Forest of Dartmoor (CL 164) under the heading "Straying", I have stated that any such registration should because it is confusing and therefore contrary to the public interest be either avoided or amended.

As regards the registrations at Entry Nos. 6, 7 and 8 (K S Fox), Mr Michelmore (as above stated) asked that "graze" should be substituted for "stray", and shortly before the end of the hearing produced the documents specified in Part VIII of the Third Schedule hereto. Mr Fox in his statement (KSF/1) said (in effect):- He is the Lord of the Manor of Natsworthy and as such is the owner of Natsworthy Common (Register Unit No. CL 67); and also owner of Natsworthy Manor House and the adjoining Higher and Lower Natsworthy Farms and the land at Ley Farm which is farmed with them; there is no physical boundary between the Hamel Down part and the CL 67 land. He inherited the Manor in 1930, it having been owned by members of his family since 1892/3.

That the Duchy as owners of the Hamel Down part agree the modification is some evidence of its propriety. I conclude that I ought to confirm the registration so modified as set out in paragraph 4 of the said decision table. But because my jurisdiction to deal with the registrations arises under section (7) of Section 5 of the 1965 Act as a result of Objections which do not mention these registrations particularly, and there may be persons who did not attend the hearing in the expectation that such registrations would not be modified, my confirmation of them is subject to any person who was entitled to be heard at the hearing and any person interested in any of the Rights Section registrations being at liberty to apply that this part of this decision be set aside and for this purpose the hearing be continued for further evidence or argument; any such application should be made within the time limit and otherwise as specified in paragraph 5 of the decision table being the **Fourth Schedule hereto.**

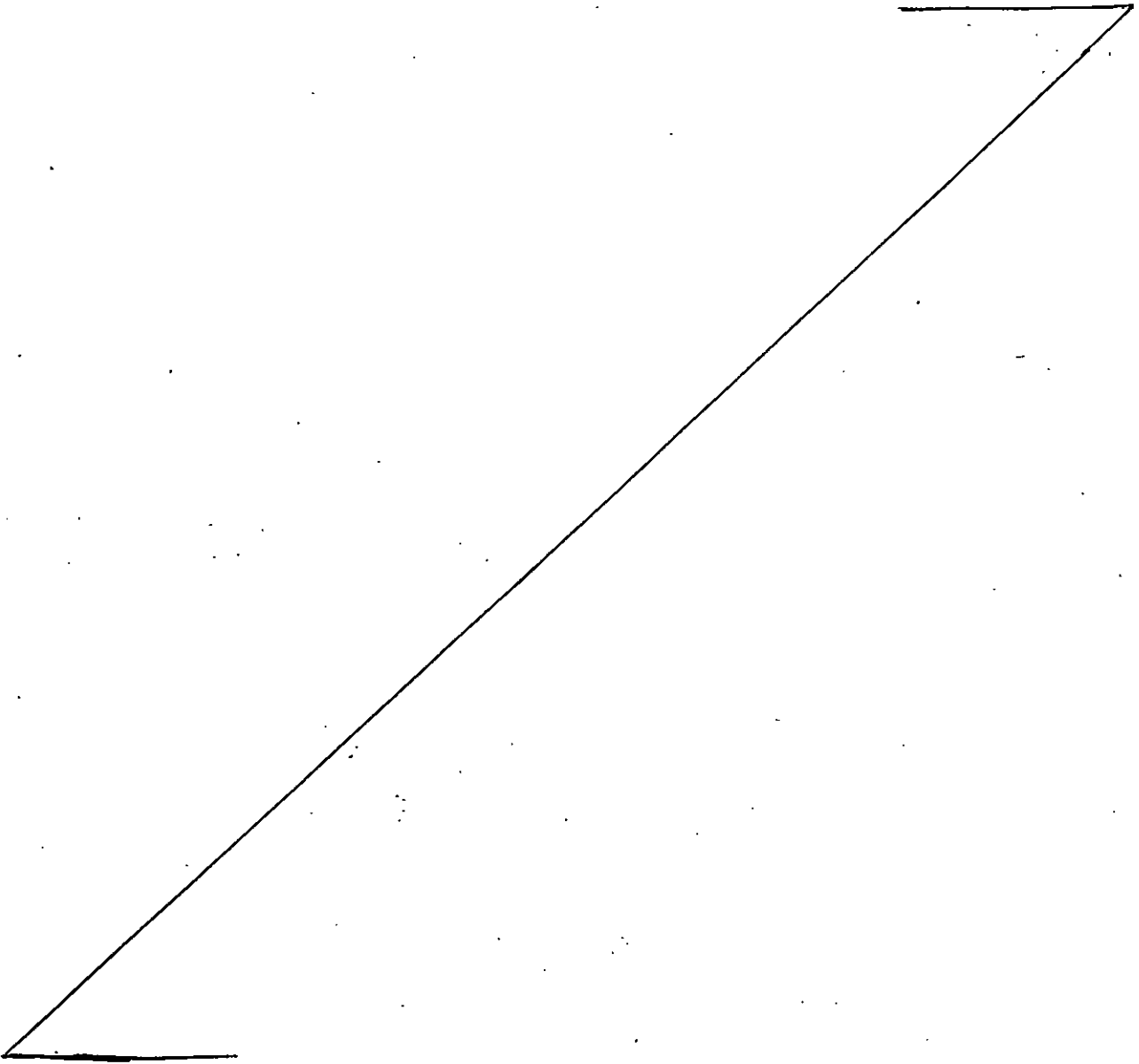
None of the other registrations of a right "to stray" are particularly within any Objection and in view of the cooperation and expectation mentioned by Mr Sturmer, I conclude that I should deal with them as I have dealt with those at Entry Nos. 6, 7 and 8. Accordingly I include them in paragraph 4 of the said decision table and my confirmation is subject to a similar liberty to apply.



So as regards all matters in question of these proceedings my decision is as set out in the decision table being the Fourth (and last) Schedule hereto, which table should be treated as part of this decision.

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.

TURN OVER





FIRST SCHEDULE  
(Objections)

Part I: Land Section

No. 21:- made by Mr C D Pike and noted in the Register on 28 July 1969; grounds:- The land edged red on the plan annexed ("The Heathercombe part") was not common land at the date of the registration, no common rights at all exist over it, at the date of registration it was enclosed and no common stock was on the land nor had anyone exercised or endeavoured to exercise common rights over it.

No. 191:- made by HRH Charles Prince of Wales, Duke of Cornwall and noted in the Register on 3 December 1970; ground, the land edged red on the attached plan ("the Challacombe Down Part") is let on lease and was not common land at the date of registration.

No. 247:- made by Mr W G Hambley; noted in the Register on 3 December 1970; ground, the land shaded green on the accompanying plan ("the Challacombe Down Part" and "the Challacombe east of the road part") was not common land at the time of registration but was in fact part of Challacombe Farm.

Part II: Rights Section Objections

Note: by sub-section (7) of section 5 of the 1965 Act, all the objections specified in Part I above are to be treated as an objection to all the Rights Section registrations.

No. 454:- made by HRH Charles Prince of Wales, Duke of Cornwall; noted in the Register on 9 February 1971; applicable to Entry Nos. 4, 15 to 32 inclusive, 35, 37 and 38; grounds, no rights exist on that part of the Unit Land hatched in red and lettered "A" on the register maps (all the Unit Land except the Heathercombe Part).

No. 793:- made by Devon County Council; noted in the Register on 25 January 1971; applicable to Entry Nos. 3 and 4, grounds, "the right does not exist at all".

No. 1128:- made by Devon County Council; noted in the Register on 11 September 1972; applicable to Entry Nos. 15 to 32 inclusive, 35, 37 and 38; grounds, the right does not exist at all.





SECOND SCHEDULE  
(Definitions)

In this decision:-

- (1) The "north-south road" means the public highway fit for motor traffic running from Ponsworthy by the entrance to Hatchwell Farm on the south across the Unit Land and over Firth Bridge and then beyond the Unit Land to the B3212 road on the north.
- (2) The "Challacombe Down part" means the part of the land in this Register Unit ("the Unit Land") which is west of the middle line of the carriageway of the north-south road exclusive of a triangular area bounded on the south-east by the north-south road (about 230 yards), on the west by a track leading to Headland Warren Farm (about 150 yards), and on the north by the boundary of the Unit Land (about 120 yards), which said part (exclusive as aforesaid) is shown edged red on the plan attached to Duchy Objection No. 191.
- (3) The "Challacombe east of the road part" means the part of the Unit Land being a strip about 425 yards long from north to south which is east of and either adjoins or is very near the said north-south road middle line and which is (or may be) included in the part of the Unit Land specified as objectionable in Hambley Objection No. 247 and which is included in the area on the Decision Plan (being page 3) edged with a thick black line and thereon hatched with black diagonal lines. If there be any difference between the delineation on the plan attached to the said Hambley Objection and the Decision Plan, for the purposes of this Schedule, the Decision Plan shall be the definitive.
- (c) The "Heathercombe part" means the part of the Unit Land which adjoins the east boundary of the Unit Land, is about 600 yards long from north-south and for the most part about or little more than 250 yards wide and which is shown edged red on the plan annexed to Pike Objection No. 21.
- (d) The "Hamel Down part" means the remainder of the Unit Land.

THIRD SCHEDULE  
(Documents produced)

Part I: produced by Mr Sturmer

Duchy/500

--

Map showing effect of Objections  
Nos. 191 and 247.



## Part II: produced by Lady Sayer

Sayer/501	3 June 1980	Copy letter from County Secretary to Admiral Sir Guy Sayer "I agree that the prospects of success for those who claim Venville rights over all the Commons of Devon appear to be good... I confirm that the County Council will not be pursuing its objection to your registration of rights".
-----------	-------------	--

## Part III: produced or referred to by Mr Pike

CDP/1	25 January 1984	Statement.
CDP/2 on file D/399	30 December 1970	Memo from County Archivist (P A Kennedy) to Clerk of Council about CL 109.

## Part IV: produced by Mr Sturmer

Duchy/501	22 January 1983	Letter from Mr W G Hambley.
Duchy/502A	26 October 1982	Letter from County Solicitor saying Council will not be offering any evidence in support of registration land the subject of objections 191 and 247.
Duchy/502B	20 October 1952	Letter from Duchy to Devon County Council about a meeting held between Mr P A J Browne and a Duchy delegation.
Duchy/503A	--	Table showing result of correspondence with applicants for Rights Section registration.
Duchy/503B	--	39 letters (mostly in the same form) saying signatory did not wish to pursue his registration over the area hatched red (Challacombe Down Part and Challacombe east of the road part).



Duchy/504	23 February 1983 10 August 1984	Copy letter and copy reminder to which letters Duchy/503 were replied.
Duchy/505	--	Extract from map of land within the Manor of Kenton.
Duchy/506	--	Extract (XXIV 245, 246) from terrier attached to said map (Duchy/505).
Duchy/507	1 October 1809	OS Map.
Duchy/508	1839	Extract from map of W Shillibeer.
Duchy/509	25 February 1902	Statutory declaration made by Arthur Clampitt Loveys.
Duchy/510	29 July 1876	Statutory declaration by William Nosworthy and Albert Nosworthy.
Duchy/511	24 January 1918	Conveyance by Sir Harry Trelawney Eve to HRH ACGAPD Prince of Wales, Duke of Cornwall of Sousons containing about 597a. 2r. 28p., and "North Challacombe South Middle Challacombe East Challacombe South Challacombe North Middle Challacombe West Down and Challacombe Commons" and "Moor lands and or common situate adjoining ... (the said Commons) ... and on the west side of Hamel Down up to the Old Boundary Stones on the top of the same being by estimation about 400 acres)".
Duchy/512	1934	Proposal of Mr Norman Hambley for a tenancy of Challacombe Farm containing 790a. 1r. 38p.
Part V: put to Mr W G Hambley		
Duchy/512bis	1934	Tenancy agreement granted pursuant to Duchy/512 above.
Duchy/513	--	Map showing Unit Land as red line for road and some areas edged (and in part hatched) blue.



Duchy/514                    8 May 1951                    Tenancy agreement between HM The King and Mr William Gordon Hambley of Challacombe Farm containing about 790a. 1r. 38p.

Duchy/515                    1884 (surveyed) and            OS map, 25" = 1 mile.  
1904 (revised)

## Part VI: put to Mr P S Cullum

Duchy/515                    30 August 1972                Tenancy agreement between HRH Charles Prince of Wales and Mr Peter S Cullum of Challacombe Farm; acreage, pasture 25.000, of rough pasture 705.586, arable 54.456, and buildings, roads, waste, woodlands 5.446 (total 790.488 acres).

## Part VII: produced by Lady Sayer

Sayer/502                    --                                Statement on behalf of Sir Guy and Lady Sayer, Admiral Sir James Eberle and Mrs Smallwood.

## Part VIII: produced by Mr Mortimer

KSF/1                        14 March 1984                Statement by Mr Keith Stephen Fox.

KSF/2                        15 October 1869                Natsworthy Manor Court Minute Book, being octavo bound book, from to February 1934                1869 to 1893 attested copy examined against original 9 November 1893, including "prior to 1684". Also various minutes, 1902, 1905, 1917 and 1934.

KSF/3                        x - xii - 07                    Map showing land in the Manor.

FOURTH SCHEDULE  
(Decision Table)

1. I confirm the registration at Land Section Entry No. 1 with the modification that the Challacombe Down part, the Challacombe east of the road part and the Heathercombe part as defined in the Second Schedule hereto be removed from the Register, and that the words: "and Challacombe Down" be deleted from the registration.

Note: consequential on the removal of the Heathercombe part, the registration at Ownership Section Entry No. 1 may be cancelled pursuant to sub-section (3) of section 6 of the 1965 Act.

2. I confirm the Rights Section registrations at Entry Nos. 3 (G B and S R P Sayer), 4 (D M Scott) and 35 (E N Smallwood) without any modification save such as is consequential on the removal from the Register of the parts specified in paragraph 1 above.

3. I confirm the Rights Section registrations at the following Entry Nos. (names of applicants in brackets) with as regards all of them the modification consequential on the removal from the Register of the parts specified in paragraph 1 above, with the modification as regards Nos. 37 and 38 in column 4 delete "piscary" and "wild animals and birds", and with the modification as regards No. 43 in column 4 substitute "the land comprised in this register unit" for "that part of the land comprised in this register unit as is hatched in red diagonal lines and lettered B on the register map", that is to say the following numbers: 1 (W J and V M Niccolls), 2 (R J H Osborn), 5 (C D Pike), 9 (G N and W R Greenaway), 10 (F G Chapman), 11 (G L and M J Bradford), 12 (P W and E P Coaker), 13 (P W and E P Coaker), 15 (Holne Parish Lands Charity), 16 (D M Scott), 17 (H D and E M Pearce), 18 (L O Perkins), 19 (A G Cousins), 20 (P R Lane-Joynt), 21 (R E Adam), 22 (L Jackson), 23 (E H and I A Woodward), 24 (F A Perryman), 25 (J B Townsend), 26 (F and A E Tozer), 27 (R G and A B Mortimore), 28 (P A Norrish), 29 (G E J Gawthorn), 30 (H and M J Clarkson), 31 (M I Clarkson), 32 (W H Norrish), 34 (R H L Spalding and C I Stevens), 36 (G E R Banks replaced by Nos. 47 and 48), 37 (E A J Worthington), 38 (V E Knapman), 41 (M J Bowden), 42 (H Black), 43 (W G Hambley) and 44 (C W R Beeson).

4. Subject to the liberty to apply in this decision before granted, I confirm the Rights Section registration at the following Entry Nos. (name of applicant in brackets) with the modification ~~that~~ in column 4 substitute the word "graze" —————> for the word "stray" and with the modification consequential on the removal from the Register of the parts specified in paragraph 1 above, that is to say:- 6 (K S Fox), 7 (K S Fox), 8 (K S Fox), 14 (G H W and H H Scott), 33 (C A and F Wilkinson), 39 (B W Fursdon), 40 (F H Harvey) and 45 (W H White).

5. Where in this decision liberty to apply is granted, such application should be made within **THREE** months from the day on which this decision is sent out (or such extended time as a Commons Commissioner may allow) and should in the first instance be by letter to the Clerk of the Commons Commissioners stating the mistake or error and the applicants reasons for thinking it should be corrected.

TURN OVER



A copy of the application should be sent to any person who might be adversely affected by the application being granted and for their information to the County Council as registration authority. As a result of the application a Commons Commissioner may direct a further hearing, unless he is satisfied that the error or mistake is obvious and all those concerned are agreeable. Of such further hearing notice will be given only to those persons who on the information available to the Commons Commissioner appear to him to be concerned with the registration in question. Any person who wishes to be given notice of any such further hearing should by letter inform the Clerk of the Commons Commissioners as soon as possible specifying the registration a further hearing about which he might wish to attend or be represented at.

Dated the 15<sup>th</sup> — day of October 1984.

*A. A. Baden Fuller.*

---

Commons Commissioner