



In the Matter of Moss Moor, Stanhope, Co Durham

## DECISION

These disputes relate to the registrations at Entry Nos 2 to 8 and 10 in the Rights section of Register Unit No. CL 73 in the Register of Common Land maintained by the Durham Council and are occasioned by Objections Nos 52(a), 53 and 54 all made by R N Burton and all noted in the Register on 21 July 1972.

I held a hearing for the purpose of inquiring into the dispute at Durham on 16 March 1982. The hearing was attended by Mr J Fryer Spedding, of Counsel, on behalf of the applicants for the registrations at Entry Nos 2 to 8, Mrs S B Warren, solicitor, on behalf of the applicant for the registration at Entry No. 10, and Mr D Mellor, solicitor, on behalf of the Objector.

The Clerk of the Commons Commissioners was informed by letter before the hearing that Mr J W Robson, the applicant for the registration at Entry No. 10 wished to "withdraw" his application, and Mrs Warren did not call any evidence in support of it.

Mr Fryer Spedding informed me that he was instructed not to support the registrations at Entry Nos 2 to 6 and 8 and that it had been agreed that the registration at Entry No. 7 should be modified to a right to graze half a stint (i.e. to a limit of half a stint each stint counting as 6 sheep during the period 1st June to 31st October and 20 sheep during the period 1st November to 31st May the following year) over a part of the land comprised in the Register Unit numbered 15 on an agreed plan.

In these circumstances I refuse to confirm the registrations at Entry Nos 2 to 6, 8 and 10, and I confirm the registration at Entry No. 7 with the agreed modifications.

Mr Fryer Spedding also asked me to modify the registration in the Land section of the Register Unit by excluding all the land comprised in it with the exception of that numbered 15 on the agreed plan. However, the disputes which have been referred to me relate only to registrations in the Rights section of the Register Unit, and I therefore have no jurisdiction to deal with the registration in the Land section which, being undisputed, became final on 1 August 1972.

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

5<sup>th</sup>

day of

April

1982

Chief Commons Commissioner