



COMMONS REGISTRATION ACT 1965

Reference Nos 215/D/50 to 27
inclusiveIn the Matter of Bromyard Downs,
Linton and Norton, Malvern Hills DDECISION

This dispute relates to the registration at Entry Nos 2, 3, 5, 11, 15, 17, 26, 28, 31, 35, 39, 40, 44 to 53 (inclusive), 58, 59, 65, 66, 77, 79, 80, 85, 89 to 94 inclusive and 101 in the Rights Section of Register Unit No CL. 15 in the Register of Common Land maintained by the former Herefordshire County Council and are occasioned by Objection Nos 76, 77, 80, 85, 87, 89 to 92 inclusive, 156 to 159 inclusive, 166, 167, 169, 170, 172, 173, 175, 176, 177, 209 and 216 all made by Bromyard RDC.

I held a hearing for the purpose of inquiring into the dispute at Worcester on 15 June 1976. The hearing was attended by Mr Miles solicitor for the Malvern Hills District Council and Mr Weaver clerk to Brookhampton Group Parish Council. I was told by Mr Weaver that the Council and all the respective applicants for rights under the above mentioned Entries had agreed that I should confirm each of the said Entries other than Entry No 79, modified in each case so that each applicant shall have the right to graze the number of animals set opposite the number of his or her Entry in the Schedule to this decision. My understanding of the agreement was that the applicants rights on Bromyard Downs should be confined to the animals referred to in the Schedule and that they should not have any rights of pannage. For this reason I confirm all the Entries set out in the Schedule modified as therein stated and I refuse to confirm Entry No 79.

The Schedule above referred to

Entry No	Number of Animals
2	5 sheep or equivalent
3	100 sheep or equivalent
4	10 sheep or equivalent
5	4 sheep or equivalent
11	56 sheep or equivalent
15	6 sheep or equivalent
17	1 sheep or goat
26	2 sheep or 2 goats apportioned equally between Nos 1 & 2 Quarry Cottages
28	20 sheep or equivalent
31	100 sheep or equivalent
35	28 sheep or equivalent
39	1 sheep or goat
40	3 sheep or goats
44	1 sheep or goat
45	1 sheep or goat
46	4 sheep or equivalent
47	8 sheep or equivalent
48	100 sheep or equivalent
49	2 sheep or goats
50	3 sheep or goats

All references to equivalents to sheep in the Rights Section of this Register Unit are as follows:-

8 sheep	=	1 beast
10 sheep	=	1 horse
4 sheep	=	1 donkey
1 sheep	=	1 goat

A ewe and her followers are deemed to be 1 sheep lambs becoming adult sheep on the 30th September in the year in which they are born



51 100 sheep or equivalent
52 100 sheep or equivalent
53 100 sheep or equivalent
58 100 sheep or equivalent
59 100 sheep or equivalent
65 2 sheep or goats
66 22 sheep or equivalent
77 3 sheep or goats
80 4 sheep or equivalent
85 24 sheep or equivalent
89 8 sheep or equivalent
90 80 sheep or equivalent
91 1 sheep or goat
92 2 sheep or goats
93 4 sheep or equivalent
94 2 sheep or goats
101 2 sheep or goats

and each and every reference to pannage being excluded.

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

8th

day of

July

1976

C. A. Little

Commons Commissioner