



In the Matter of Little Tarrington Common,
Tarrington, Malvern Hills D

DECISION

This dispute relates to the registrations at Entry Nos: 1, 2, 3, 4 and 5 in the Rights Section of Register Unit No. CL 116 in the Register of Common Land maintained by the former Herefordshire County Council and is occasioned by Objections Nos: 5, 6, 7, 8 and 440 all made by S D Herapath, Nos 5, 6, 7 and 8 noted in the Register on 24 October 1969 and No. 440 noted in the Register on 11 January 1972.

I held a hearing for the purpose of inquiring into the dispute at Worcester on 11 May 1979. The hearing was attended by Mr J W King of Messrs Bannister King and Rigbey's on behalf of Mr A F Foley the successor to Mr Herapath and Mr A Davies of Messrs Beaumont Smith and Davies on behalf of Mr H D E Stock the applicant for rights under Entry Nos: 1, 2, 3 and 4. The applicant under Entry No. 5 did not appear to support her claim and for this reason I refuse to confirm Entry No. 5. Mr Davies withdrew the application under Entry No. 1 and I refuse to confirm that Entry. Mr King and Mr Davies agreed that I should confirm Entries 2, 3 and 4 modified in each case by deleting all the words in column 4 and substituting therefor the words:- "The right to graze 1 beast over the whole of the land comprised in this Register Unit" and for this reason I confirm Entry Nos: 2, 3 and 4 modified as aforesaid.

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 19th day of June 1979

Y. A. Little

Commons Commissioner