



COMMONS REGISTRATION ACT 1965

Reference No 213/0/110, 111 & 112

In the Matter of Newland Common,
Newland, Malvern Hills D

DECISION

These disputes relate to the registrations at Entry No 1 in the Land Section and Entry Nos 1 and 3 to 7 inclusive in the Rights Section of Register Unit No CL. 29 in the Register of Common Land maintained by the former Worcestershire County Council and are occasioned by Objection No 14 made by the Worcestershire County Council and noted in the Register on 18 November 1969 and Objection No 40 made by the Malvern Hills Conservators noted in the Register on 16 November 1970.

I held a hearing for the purpose of inquiring into the dispute at Worcester on 17 June 1976. The hearing was attended by Mr J D Schooling on behalf of the Malvern Hills conservators and by Mr Merrick in person.

Mr Schooling did not resist the Objection made by the Worcestershire County Council and agreed that I should confirm the Entry at No 1 in the Land Section modified so as to exclude the land identified as being in the ownership of the County Council for highway purposes on the plan annexed to Objection No 14.

As regards the Rights Entries the applicants under Entries 1, 4 and 5 did not appear and I was told that Entries 1 and 4 had been withdrawn and Entry No 5 was believed to have been withdrawn and I refuse to confirm those Entries. Mr Schooling agreed that I should confirm Entries Nos 3 and 7 modified as follows.

- 3 By substituting for all the words in column 4 the following words:-
"The right to graze 100 sheep or 20 cattle or 2 horses over this Unit and Units CL. 16 and CL. 19 but so that the number of animals grazed at any one time shall not exceed the above mentioned number"
- 7 By substituting for all the words in column 4 the following words:-
"The right to graze 300 sheep or 60 cattle or 60 horses over the whole of this Unit".

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 day of July 1976

C. A. Seale

Commons Commissioner