



COMMONS REGISTRATION ACT 1965

Reference Nos 220/D/2
to 10 inclusiveIn the Matter of Pendleton Moor,
Pendleton, Ribble Valley District,
LancashireDECISION

These disputes relate to the registrations at Entry Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 15, 16, 17, 18, 19, 21 and 22 (Nos. 21 and 22 were formerly No. 14) in the Rights Section of Register Unit No. CL83 in the Register of Common Land maintained by Lancashire County Council and are occasioned by Objections No. 434 and No. 435 made by Calder Water Board and noted in the Register on 27 and 31 July 1972, by Objections No. 10 (relating to Entry No. 11) and No. 128 (relating to Entry No. 17) made by Major F T Oxley, Mr G M Robinson and Mr M L Bolton and noted in the Register on 4 December 1970 and 15 January 1971, by Objections No. 113 (relating to Entry No. 17) and No. 114 (relating to Entry No. 11) made by Mr D J Yorke and Mr C G H Bolton and noted in the Register on 4 December 1970, by Objection No. 117 (relating to Entry No. 17) and No. 118 (relating to Entry No. 11) made by Mr J E R Aspinall and noted in the Register on 4 October 1970 and by Objection No. 353 (relating to Entry No. 17) made by Mr R J Assheton and noted in the Register on 13 June 1972.

I held a hearing for the purpose of inquiring into the disputes at Preston on 22 January 1978. At the same time I held the hearing for the purpose of inquiring into the dispute relating to the Registration at Entry No. 1 in the Land Section of the said Register Unit No. CL83. At the hearing (A) Mr K Shaw solicitor of Foysters, Solicitors of Manchester represented (1) Major F T Oxley, Mr G M Robinson and Mr M L Bolton (they with others applied for Rights Section Entry Nos. 3, 4, 5, 6, 7, 8, 9, 10, 12 and 13, and they made Objection Nos. 10 and 128), (2) Mr D J Yorke and Colonel G G H Bolton (they or their predecessors applied for Rights Section Entry No. 19 and they made Objection Nos. 113 and 114), (3) Mr J E R Aspinall (he applied for Rights Section Entry Nos. 15, 16 and 18 and made Objection Nos. 117 and 118), (4) the Hon R J Assheton (he applied for Ownership Section Entry No. 2 and he made Objection No. 353) and (5) Mr G P Le G Starkie (he applied for Rights Section Entry No. 1); (B) Mr G A Hartley solicitor represented (6) Northwest Water Authority (he is their principal assistant solicitor) as successor of Calder Water Authority (they applied for Rights Section Entry No. 14, now Entry Nos. 22 and 23, and for Ownership Section Entry No. 1 and they made Objection Nos. 434 and 435); (C) Mr I B Dearing solicitor of Steele & Son, Solicitors of Clitheroe represented (7) (as agents for Rowland Robinson & Fenton, Solicitors of Blackpool) Mr W P Robinson (he applied for Rights Section Entry No. 11) and (8) Mr T R G Unsworth of Wells Spring Hotel, The Nick, Pendle, Pendleton as successor in title of Orville Lowe Limited (they applied for Rights Section Entry No. 17). At the request of all present I adjourned the proceedings so far as they related to the Rights Section registration, and later gave a decision dated 14 February 1979 by which I confirmed the Land Section registration.

I held the adjourned hearing for the purpose of inquiring into all the said disputes relating to the Rights Section registrations at Preston on 11 December 1979. At this hearing (A) Mr K Shaw represented as before (1) Major F T Oxley, Mr G M Robinson and Mr M L Bolton and (2) the Hon. R J Assheton, and also (3) Mr D J Yorke, Mr George Furness Appleton of Richmond House, Runford Mace, Liverpool. and Mr Martin Aspinall of 4 Queen Square, Kirkby Lonsdale, Carnforth, Lancashire (the last two named having succeeded Colonel G G H Bolton as trustee of the Standen Estate); (B) Mr G A Hartley represented as before Northwest Water Authority; and (C) Mr I B Dearing represented as before Mr W P Robinson.



The land ("the Unit Land") in this Register Unit, known as Pendleton Moor is approximately triangular, having sides about 2, $1\frac{1}{2}$ and $1\frac{1}{4}$ miles long, and is situated north of Sabden and for the most part east of the road from Sabden to Clitheroe (over the Nick of Pendle). The registrations in the Rights Section are summarised in the First Schedule hereto. In the Ownership Section Calder Water Board are registered as owners of part ("the CDE Part") of the Unit Land (about $\frac{1}{10}$ th of the whole) lying along the middle part of the southeast boundary and east of the line C-D and south of the line D-E on the Register map; in such Section Hon R J Assheton is registered as the owner of all the remainder of the Unit Land.

By far the greater part of the December 1979 hearing was taken up with Objection Nos. 10, 114 and 118 made to the registration (Mr W P Robinson) at Rights Section Entry No. 11 (a right to graze 150 sheep).

As regards this registration:- Oral evidence against it was given by Mr A P Miller of Ingham and Yorke Chartered Surveyors and Land Agents of Burnley who has (? or his firm have) since 1959 acted as Agent (? his firm were the Agents) for the Standen Settlement Trustees (in December 1969, Mr D J Yorke, Mr G G Hargreaves and Mr A F Clarke; in 1970 Mr Yorke and Colonel G G H Bolton; and now Mr Yorke, Mr G F Appleton and Mr M Aspinall), for Mr G P Le G Starkie, for his Settlement Trustees (Mr T F Oxley, Mr G F Robinson and Mr M L Bolton), for Mr J E R Aspinall, and for Mr R J Assheton; in the course of this evidence he produced a paper ("the 1922 Schedule") a copy of which is set out in the Second Schedule hereto and a paper (APM/2) showing comparatively the sheep rights registered under the 1965 Act and the sheep numbers shown on the 1922 Schedule. Oral evidence for the registration was given by Mr W P Robinson who is now 61 years of age, has known Pendleton Moor since 1938 and became a tenant of Bulcocks Farm in 1948; in the course of his evidence he produced (1) 15 forms being copies recently obtained from Ministry of Agriculture Fisheries and Food of applications made by himself for the hill sheep subsidy for the years ending in December 1959 to 1973 inclusive, (2) a conveyance dated 10 February 1970 by which Mrs J E Robinson and Mrs I Robinson as trustees of statutory trusts for sale arising under a deed dated 18 April 1958 and made by Mrs F Duerden, and as her executrix (she died 13 November 1966) with the concurrence of beneficiaries entitled under such statutory trusts conveyed to Mr W P Robinson and Mrs I Robinson (she being one of the conveying parties) Bulcocks Farm containing about 61.948 acres and land at Pendle containing about 1.312 acres; and (3) a copy of a surrender dated 11 February 1920 of an estate known as to the larger part as Bulcock's Farm and as to a small part as Laurel Cottage, and containing about 63 acres to the use of Thomas Duerden and Florrie Duerden as tenants in common according to the custom of the Manor of Chatburn Worston and Pendleton.

The grounds of Objection Nos. 10, 114 and 118 are (the same in all 3 cases): "the right to graze 150 sheep on Pendleton Moor is excessive for the size of Bulcocks Farm. A figure of 64 sheep for this farm is shown in the Schedule published in July 1922 in respect of sheep rights on Pendleton Moor and these rights should be limited to this figure".

Mr Miller, ^{said} (in effect) ^{He} on behalf of the Estates for whom his firm ^{acted} applied for the registration at Rights Section Entry Nos. 1, 3 to 10 inclusive, ^{12 to 16} inclusive and 18 and 19 and, had made the said three Objections. Before making the applications a meeting of the tenants of the Estates was held on 21 February 1967; it was attended by himself, his partners (Mr D J Yorke and Mr R M Parkinson) and



by the tenants and it was agreed at the meeting as far as the Estates and their tenants are concerned they would for the purposes of registration under the 1965 Act abide by (or use as a basis) the figures given in the 1922 Schedule.

It was not suggested that there was no grazing right attached to Bulcocks Farm either in the grounds of the Objections or at the hearing, so I am only concerned to determine whether the number "150" sheep is proper. By section 15 of the 1965 Act: "Where a right of common consists of or includes a right, not limited by number, to graze animals ... of any class, it shall for the purposes of registration under this Act be treated as exercisable in relation to no more animals ... of that class than a definite number"; so I have first to consider whether apart from the 1965 Act the grazing right attached by Bulcocks Farm is "limited by number".

Mr Miller in the course of his evidence if not expressly at least impliedly contended that all the rights over the Unit Land, or at least those mentioned in the 1922 Schedule were so limited, the number in the case of Bulcocks being "64". In effect he was contending that I should treat the 1922 Schedule as evidence by Mr T Duerden, who as owner of the farm under the 1920's surrender would have known the rights attached to it. Mr Miller who had no personal knowledge of the events of 1922, said no more about the origin of the 1922 Schedule than it was produced from the records held by his firm relating to the Pendleton Estates. However he identified the manuscript pencil writing at the head: "Proposed enclosure by the Padiham UDC of Common Lands" as being that of Mr Howsin a former partner in his firm and the pencil initials "HJS" 19/5/60 as being those of Mr Summer a clerk in their office at that time. The 1922 Schedule appears to have been stuck into or kept in some sort of book or folder, but as I understood Mr Miller there was nothing in the documents among which it was found which was in any way relevant to these proceedings. He said that at the 1967 meeting Mr Cowperthwaite, the present tenant of Dickensons Tenement whose father and grandfather before him had been tenants and who himself had been at the farm for over 44 years, had at the meeting said that Mr Duerden had agreed the figures in the 1922 Schedule with Mr Howsin. Mr Miller added: "Therefore there was an element of agreement about the numbers of sheep rights attached to each farm (with rights) on Pendleton Moor".

If the proceedings before me are "court proceedings" within the Evidence Act 1968, I cannot treat the 1922 Schedule as evidence by Mr Duerden because I have no direct oral evidence that he produced or accepted responsibility for it, see section 2(3). But in case these proceedings are within the meaning of section 8 "proceedings in relation to which the strict rules of evidence do not apply", I consider whether the 1922 Schedule can be regarded as a statement by Mr Duerden that the rights over the Unit Land were then "limited by number" as set out in it.

The 1922 Schedule does not expressly state "rights" or "limits"; it might well be a statement of the number of sheep then being grazed. Further the statement is not (as Mr Miller conceded) exhaustive in that it does not include Rattenclough Farm for which a right to graze 300 sheep (later split into 2 rights of 150 sheep each) was not included although Mr Miller was satisfied that there were rights attached to this farm. At the hearing it was suggested that the non-inclusion of this farm was because the 1922 Schedule was prepared (as is consistent with Mr Howsin's pencil notes) following a compulsory purchase proposal by Padiham UDC who were then a local water authority and the owners of the farm (Mr Hartley said they were the predecessors of Calder Water Board); but even if this suggestion be correct it does not show the Schedule was a statement of rights.



If in 1922 the Unit Land had been subject to grazing rights limited by number it would then have been stinted or gaited or similar common, and the 1967 meeting would not I think have proceeded as described by Mr Miller; the numbers (of stints or gates) would have been well known to the farmers concerned and any alterations in the stints or numbers by reason of changes between 1922 and 1967 of boundary or otherwise would have been the subject of comment. As I understood Mr Miller nothing of the sort happened at the 1967 meeting; those present being merely concerned to collaborate with their landlords in making the right kind of registration under the 1965 Act and in the absence of anything better to agree to the 1922 Schedule as a basis.

Mr Robinson in the course of his evidence said that from inquiries he made in 1948 ^{he} understood the grazing rights attached to Bulcocks Farm were "unlimited" and his subsequent grazing activities were on this basis. The period for which the actual exercise of a right of grazing is sufficient in law to presume a lost grant is 20 years, see *Tehidy v Norman* 1971 2QB 528; by analogy with section 16 of the 1965 Act I consider that the 20 year period should be measured back from the date of the earliest relevant Objection (6 April 1970). Mr Robinson said the number of sheep he put on the Unit Land in 1948, 1949 and 1950 were 80, 120 and 126; thereafter (he gave the figures) he put on more (over 200 in 1961, 1962, 1965 and 1966).

Mr Robinson was mistaken in thinking there could in law be a right of common which was "unlimited", if he used this word as meaning that there was no limitation either by number or otherwise, because a right of common wholly unlimited is not recognised by law. But the circumstances he was mistaken as to the law applicable to his rights, provides no reason why I should not give effect to his evidence as to what he actually did, see *de la Warr v Miles* (1881) 17 ChD 535.

Mr Robinson described his grazing in detail. It was limited (as far as he was able) to the part (about 1/10th of the whole) of the Unit Land west of the line AB, which line from his point of view is the skyline. He left the sheep on the Unit Land all the year except for lambing (about 6 weeks); since 1948 his flock had been (as far as he could make it) heafed: he had difficulties about this which were to some extent eased when about 13 years ago cattle grids were put across the Sabden-Clitheroe road; as a result of these grids he reduced his number. Except on one occasion (of no significance) there was no complaint about his grazing.

Mr Miller on Mr Robinson's grazing said the majority of his people (meaning tenants of the Estate) put out sheep during the summer months only, and he had had complaints about Mr Robinson grazing all the year round. I have no evidence how these tenants grazed the Unit Land or as to any action taken about the said complaints; which is perhaps not surprising in view of the statement in Objection No. 117 that the right of pasturage was for "sheep at all times of the year".

As regards any imm^{em}orial rights over the whole of the Unit Land, my inclination is that these were in origin manorial; the 1922 surrender mentions a right of common on Pendle Hill in the Manor of Chatburn, Worston and Pendleton. The 1970 conveyance mentions a memorandum of extinguishment of Manorial Incidents dated 2 August 1935. Mr Assheton when applying for the registration of the Unit Land as common land localises it as being in the "Manor of Chatburn Worston and Pendleton". I have been told in other cases that before the 1939-45 war there were not often problems on manorial commons about numbers, for those entitled could not afford to buy the animals which could result in the numbers resulting in over-grazing and that after the war, as regards commons crossed by a public road farmers tended not to exercise



their rights because in the absence of cattle grids the animals would stray with the risk of injury to themselves from passing motor cars and also, the cars and their human occupants. In the case of the Unit Land if the grazing rights were manorial any dispute as to grazing could be settled by the Manorial Court.

On the question whether grazing rights over the Unit Land were apart from the 1965 Act limited by numbers, there is a conflict between the information put before me by Mr Miller and Mr Robinson. Upon the considerations outlined above I am not satisfied that such rights were so limited; Mr Robinson never considered he was exercising such a right and nothing said or done as a result of the 1967 meeting can in my view result in such a limitation being imposed on any grazing right he may have.

The 1965 Act provides that any application for registration of a right "not limited by number" to graze animals of any class shall "state the number of animals to be entered in the register ...". The Act gives no guidance as to how an applicant is to determine this number, but the note in the form of application for the registration of a right of common (CR49) which is part The Commons Registration (General) Regulations 1966 advises applicant (paragraph 7) to enter the number "which he believes himself entitled to graze" and adds a warning that if he inserts a higher figure he may if objection is made be at risk of being ordered by a Commons Commissioner to pay costs.

The 1965 Act provides that where registration has become final the right shall not be exercised in relation to a number of animals in excess of the number appearing on the register, but Parliament apparently considered that such number would not be unalterable because the Act contemplates that Parliament will hereafter determine the numbers, see section 15(3).

Mr Shaw contended that the right number to be inserted at Entry No. 11 was the number of sheep that could properly be regarded as levant and couchant on Bulcocks Farm and suggested for this $1\frac{1}{2}$ sheep per acre was the highest figure (for 66 acres this should be 99 sheep). Mr Miller in the course of his evidence pointed out the 1922 Schedule on the whole provides numbers at a rate of about one sheep per acre but there are obvious exceptions (as is apparent on APM/2), so he contended that a proper rate is about $1\frac{1}{2}$ sheep per acre.

In my opinion the 1922 Schedule does not indicate that Mr Duerden at that time thought the numbers therein recorded were those which in law could be regarded as levant and couchant on the farms: nor have I any evidence that at the 1967 meeting it was in the mind of anyone present that the numbers could be so regarded. The figure "150" suggested by Mr Robinson being about $2\frac{1}{2}$ sheep per acre is neither obviously nor inherently excessive. As to whether it is excessive in relation to Bulcocks Farm I have the evidence from Mr Robinson that he could graze many more; by not objecting to the registrations made by Mr Miller on behalf of the Estates, Mr Robinson cannot I think be taken to have agreed to the 1922 Schedule of which he knew nothing; he was not invited to the 1967 meeting (there was no reason why he should be because the meeting was never intended to be anything other than a meeting with the tenants of the Estates).

There is no general rule as to "levancy and couchancy" numbers; if the words be translated literally into correct English they are altogether inappropriate to a flock which is left out on the common day and night except during lambing season;



but many commons are grazed this way and numbers have been agreed or determined limiting much grazing although the words levancy and couchancy may not accurately describe the result. If some arbitrary levancy and couchancy formula be adopted the result may be if the common is large it will be undergrazed for the benefit of nobody and if the common is small it may be overgrazed to the detriment of all. Mr Miller in the course of his evidence observed (and I agree) that at the end of the day what matters is to find out what the Moor could carry.

In my view the 1965 Act does not require applicants to insert in their application a number such as might be inserted in a scheme for regulating the grazing on a common should all those entitled wish to exercise their rights as fully as they lawfully could consistent with the common not being overgrazed. There was no evidence that the Unit Land had been overgrazed. If I decide that the "150" in Entry No. 11 be reduced to 99, the result will be that it will become unlawful to graze from Bulcocks a flock of more than 99 sheep; I decline to produce this result and I have the evidence of Mr Robinson (which I accept) that for more than 20 years before the objection, he has without any relevant complaint, grazed a flock which was always more than 120.

Further I decline to reduce the "150" to 120, merely because for some of the 20 year period Mr Robinson did not graze more; he never thought he was exercising a right to graze 120 sheep and no more. Although under Section 15 of the 1965 Act, Mr Robinson cannot now lawfully put out more than 150 sheep (a number he himself selected), it does not follow from the number 150 specified in the registration that he can in all circumstances regardless of the rights of other persons and of the amount of grass available put out that number; for overgrazing such persons have the same rights to take legal proceedings for excessive grazing as they would have had if the 1965 Act had not been passed. It is not the function of the Register to describe every registered right with such detail as will enable every conceivable dispute to be determined.

But as the Register now stands, the registration at Entry No. 11 and the registrations for which Mr Miller was responsible are so similarly expressed, that the Register is confusing in that persons might take the rights intended to be registered as the same. The right intended to be registered by Mr Robinson is quite different from that intended to be registered by Mr Miller. To avoid this confusion I consider that Entry No. 11 should be modified as below set out. Save as regard this confusion, my decision is that the said three Objections to the registration at Entry No. 11 as regards ~~the~~ "150" and otherwise, fail.

As to the other registration:-

The grounds of Objection No. 434 are (in effect) that the CDE Part was not common land at the date of registration; the grounds of Objection No. 435 are (in effect) that the rights register at Rights Section Entry Nos. 1 to 10 inclusive, 12, 13 and 15 to 19 inclusive (ie all Entry Nos except Nos. 11 and 14 which do not relate to the CDE Part) do not exist over the CDE Part. Mr Hartley at the hearing said that Objection No. 434 is withdrawn. From a letter dated 7 December 1973 sent by the Calder Water Board to Lancashire County Council (file D/1), I would incline to the view that both Objections were then withdrawn. On the day after the hearing, Mr Hartley being present in relation to another matter said that if on the previous day his attention had been drawn to Objection No. 435 he would then have withdrawn it; and added that in accordance with the liberty to apply granted on page 2 of my said



February 1978 decision, he applied for the confirmation of the registration at Rights Section Entry Nos. 21 and 22 (replacing No. 14). So in the result there is no effective objection to any of the Rights Section registrations except to those at Entry Nos. 11 and 17.

As to the registrations made by Mr Miller for his clients, I conclude that they (through him) did believe (within the words above quoted from the 1966 Regulations) they were entitled to graze that number. The circumstances that after a hearing I have inclined to the view that historically no numbers were applicable to the Unit Land, is as regards these registrations irrelevant, because the 1965 Act and the Regulations made under it contemplate that in the difficult situation where rights are not or may not be "limited by number", ~~fixed~~ number to be inserted in the register ^{may be fixed} arbitrarily. Mr Robinson has made no objection to these registrations. I consider I should produce the same result as is by Section 7 of the 1965 Act provided in respect of the registrations to which there has been no objection, accordingly I conclude that all these registrations were properly made.

The registration at Entry No. 17 made on the application of Orville Lowe Limited is of a right attached to Well Springs to graze 100 sheep, estovers, turbarry, "piscary", and "pannage for 100 pigs". The grounds of Objections Nos. 113, 117 and 128 (the same in all 3 cases) are: "(1) there are no rights of pannage or piscary over this moor. The rights of common are restricted to (a) the right of pasture for sheep at all times of the year, and (b) the right of estovers of turbarry for use on own premises but not for sale. (2) The right to graze 100 sheep on Pendleton Moor (over this unit and over CL30) is excessive for the area of land attached to Well Springs Hotel. A figure of 27 sheep for this land is shown on a Schedule published in July 1922 in respect of sheep rights over Pendleton Moor (this unit and unit CL30) and these rights should be limited to this figure". Grounds of Objection No. 353 are: "There is no right of piscary or pannage over this common". As to grazing, I consider that the evidence of Mr Miller (although for the reasons above explained ~~are~~ not ~~conclusive~~ against Mr Robinson) should in the absence of any evidence in support of these registrations be decisive and that accordingly the number of sheep should be 64. AS to piscary and pannage Mr Miller in the course of his evidence said he had no knowledge of any such rights being exercised; there is no mention of any such rights in any of the other registrations and in the absence of any evidence in support of them I conclude that as regards these rights this registration was properly made. AS to estovers and turbarry, as a general rule the purpose for which the product is used must be limited in some way: it cannot be sold, see Harris and Ryan on Common Land (1967) paragraph 2-70; so in the absence of special circumstances there is I think no need for the Register to include in relation to estovers and turbarry any qualification on the exercise of the right which must by law necessarily exist. The registrations of "estovers of turbarry" at Entry Nos. 1, 3, 4, 5, 6, 7, 8, 9, 10, 12, 15, 16, 18 and 19 contain no qualifications although ~~before~~ the application was made for their rights the application (form CR No. 9) in every case included the words "for use on own premises and not for sale"; to use such words the registration at Entry No. 17 although not included in these other registrations would I think make the Register confusing. So I shall not give effect to this part of the grounds of Objection, save to bring this registration in line with the other registrations of "estovers of turbarry".

As regards all the other registrations except that at Entry No. 11, they accord generally with those made by Mr Miller for his clients, and in the absence of any



effective objection I ~~consider I~~ ^{consider I} ought to produce the same result as would under Section 7 of the 1975 Act follow in the absence of any objection and conclude they were all properly made. There was at the hearing no discussion as to the meaning of "estovers of turbary", although I feel some doubt as to the effect of these words, I conclude that they ought to ~~be~~ appear in → this register unit throughout.

For the above reasons I confirm the registrations at Entry Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 12, 13, 15, 16, 18, 19, 21 and 22 (Nos. 21 and 22 were formerly No. 14) without any modification and I confirm the registration at Entry No. 17 with the modification that for all the words in column 4 there be substituted: "1. To graze ⁽¹⁷⁾ sheep over the whole of the land comprised in this and register unit No. CL30. 2. Right to estovers of turbary over the whole of the land comprised in this and register unit No. CL30"; and I confirm the registration at Entry No. 11 with the modification that there be added in column 4 at the end of the words now therein appearing: "The said grazing right is to put a heafed flock on the said part of the land, being a right which apart from the Commons Registration Act 1965 although not without some limit is not limited by number within section 15; accordingly the said number 150 is to comply with sub-section (2) of the section and does not import that regardless of the rights of other persons the said flock may in all circumstances and at all times lawfully comprise so many".

I am required by regulation 30(1) of the Commons Commissioners Regulations 1971 to explain that the persons 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.

FIRST SCHEDULE

Entry No. for Unit Land, Applicants	Right except where stated in column 1, is over the whole of the Unit Land and of the CL30 land; e = estovers, and t = turbary	Land to which right is attached
CL30/1) 83 (Entry No. for CL30 land)	G P Le G Starkie, owner; and J Whitwell tenant.	Wilkin Hay Farm
CL30/2)	E W Gill and Sons Limited, owners.	Cockshotts Farm, Sabden
CL30/3)	T F Oxley, G M Robinson and M L Bolton, owners; and R T Denney, tenant.	Stork Cottage, Pendleton



CL30/4)	T F Oxley, G M Robinson and M L Bolton, owners; and J Eccles, tenant.	Graze 94 sheep; and e of t	Wymondhouses Farm No.2
CL30/5)	T F Oxley, G M Robinson and M L Bolton, owners; and G E Cowperthwaite tenant.	Graze 76 sheep; and e of t	Schofield and Hillcock Farm
CL30/6)	T F Oxley G M Robinson and M L Bolton, owners; and T Rigby, tenant.	Graze 50 sheep; and e of t	Cold Coates Farm
CL30/7)	T F Oxley G M Robinson and Mr L Bolton, owners; and T Whitwell, tenant.	Graze 250 sheep; and e of t	Pendleton Hall Farm
CL30/8)	T F Oxley, G M Robinson and M L Bolton, owners; and R C Nelson tenant.	Graze 97 sheep; and e of t	Wymondhouses Farm No. 1
CL30/9)	T F Oxley, G M Robinson and M L Bolton, owners; and W Cowperthwaite, tenant.	Graze 77 sheep; and e of t	Dickensons Tenement, Pendleton
CL30/10)	T F Oxley, G M Robinson and M L Bolton, owners: and D M Worsley- Taylor and G Phillipson-Stow (executors of Lady Worsley-Taylor) tenants.	Graze 14 sheep; and e of t	Town Head Farm, Pendleton
right over part of sit Land west of ne A-B on gister map; right claimed er CL30 land)	W P Robinson	Graze 150 sheep	Bulcocks Farm



2 CL30/11)	T F Oxley, G M Robinson and M L Bolton, owners; and K Slinger tenant.	Graze 72 sheep; and e of t	Spring House Farm, Pendleton
3 CL30/12)	T F Oxley G M Robinson and M L Bolton, owners; and J E Cowperthwaite tenant.	Graze 58 sheep; and e of t	Cockshutts Farm, Pendleton
4 CL30/13)	(replaced by Nos 21 & 22)		
5 CL30/14)	J E R Aspinall owners; and A Jaques tenant.	Graze 30 sheep; and e of t	Dawson Fold Farm, Sabden
6 CL30/15)	J E R Aspinall owner; and Mrs P I Blezard tenant.	Graze 50 sheep; and e of t	Town Farm, Pendleton
7 CL30/16)	Orville Lowe Limited, owner.	Graze 100 sheep; e; t; piscary; and pannage for 100 pigs.	Well Springs, Sabden
8 CL30/17)	J E R Aspinall owner; and R Thistlethwaite tenant.	Graze 30 sheep; and e of t	Hayhurst Farm, Pendleton
9 no right claimed over CL30 land)	D J Yorke, G G Hargreaves and A F Clarke, owners.	Graze 50 sheep; and e of t	Higher Standen Farm, Pendleton
2. formerly part of 4; over all the Unit and except east of line C-D and south of line D-E	Calder Water Board, owner	Graze 150 sheep	Land formerly part of Rattenclough Farm
2. formerly as for 1 above CL30/20)	E R Gill	Graze 150 sheep	Rattenclough Farm

SECOND SCHEDULE over.

✓ Town Head	Berry	11
✓ Cold Coats	Briggs	12
✓ Stock Cottage	Mitchell	5
✓ Swan Inn	Hargreaves	16

Major Aspinall

Town Farm	Mitchell	50
Higher Standon	Collinge	50
Hayhursts Farm	Cowperthwaite	30
Dawson Fold	Stevenson	30

Mr. Hindle

Wains Farm	Whitwell	35
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Mr. Duerden

Bullocks Farm	Duerden	64
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Mr. Grimshaw

Pavile Bottom Farm	Marshall	30
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Mr. Hearn

Wain Cottage	Hearn	37
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Dated This 19th day of May 1980

A. A. Baden Fuller

Common Commissioner

Corrected at line 32
page 7 as of line 10
page 8 by substituting
27 for 64

A. A. Baden Fuller

7 July 1980

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Ref
220/2/2

SECOND SCHEDULE

Shown according to the Schedule to S.C. of Common Law

PENDLETON MOOR CRAZINGS

APM

Particulars obtained by T. Duerden, Bulcock's Farm, Pendleton. 21st. July 1922

E. A. La S. Starkie Esq.

<u>Farm.</u>	<u>Occupier.</u>	<u>No. of sheep</u>
✓ Pendleton Hall	Wood	250
✓ Millin Hay	Whipp	172
✓ Colfield and Hilcock	Tomkinson	70
✓ Spring House	Slinger	72
✓ Dickinsons Monument	Cowperthwaite	79
✓ Beckhotts Farm	Mitchell	49
✓ Tysonhouses	Geldard	24
✓ -do-	Seed	27
✓ Farm Head	Henry	
✓ Bell Coats	Briggs	
✓ Snook Cottage	Mitchell	5
✓ Swan Inn	Hargreaves	16