



COMMONS REGISTRATION ACT 1965

Reference No.268/D/60

In the Matter of Westerdale Moor,
Westerdale, North Yorkshire (No.12).

DECISION

This dispute relates to the registration at Entry No.27 in the Rights Section of Register Unit No.CL 8 in the Register of Common Land maintained by the former North Riding County Council and is occasioned by Objection No.0185 made by the Rt.Hon.R.F.Wood, Mr C.C.Egerton, and Mr M.J.B.Todhunter and noted in the Register on 15th September 1970.

I held a hearing for the purpose of inquiring into the dispute at Scarborough on 6th November 1974. The hearing was attended by Mr E.Baxter, the successor in title of Mr P.Marshall, the applicant for the registration, and by Mr H.Harrood, of counsel, on behalf of the Objectors.

The registration for which Mr Marshall applied was for the right to graze 50 ewes and followers and the right of turbary, bracken, and stones. The only dispute between the parties was as to the number of ewes and followers, and I was informed that they had succeeded in agreeing this at 40.

I therefore confirm the registration with the following modification:- namely, the substitution of the figure "40" for the figure "50".

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 20th day of December 1974

Chief Commons Commissioner

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