COMMONS REGISTRATION ACT 1965 Reference No. 215/D/271

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

DECISION

This dispute relates to the registration at Entry No. 1 in the Rights Section of Register Unit No. CL 117 in the Register of Common Land maintained by the former Herefordshire County Council and is occasioned by Objection No. 441 made by S D Herapath and 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 Rigbeys on behalf of Mr A T Foley the successor to Mr Herapath.

The successor to the applicant for Rights by a letter dated 18 April 1977 to the Commons Commissioner withdrew the application.

For this reason I refuse to confirm the registration.

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 day of 1979

Commons Commissioner