



In the Matter of Sand Edge Common,
Wolsingham, Co Durham (No. 1)

DECISION

These disputes relate to the registrations at Entry Nos 2, 5, 6, 7, 8 and 9 in the Rights section of Register Unit No. CL 48 in the Register of Common Land maintained by the Durham County Council and are occasioned by Objections Nos 43, 46, 47 and 48, made by Mr J.R.F. Fenwick and all noted in the Register on 1 February 1972, and Objection No. 50 made by Messrs J R & R E Ross and noted in the Register on 18 May 1972.

I held a hearing for the purpose of inquiring into the dispute at Durham on 9 October 1980. The hearing was attended by Mr F D Pattinson, solicitor, on behalf of Ms H Ward, Mr R H Ward, Ms E Briggs, and Mr T.D. Ward, the applicants for the registration at Entry No. 5, and Wolsingham Park Farms Ltd, the applicant for the registrations at Entry Nos 8 and 9 and by Mr J S Stephenson, solicitor, on behalf of the Objectors.

Entry No. 2. In a letter dated 6 October 1980, addressed to the Clerk to the Commons Commissioners, solicitors acting for Messrs J & E Thompson, the applicants for the registration, stated that they had decided to "withdraw" their application. I therefore refuse to confirm this registration.

Entry No. 5. Mr Mitchell informed me that it had been agreed that the registration should not include either cattle or horses and that the grazing of sheep should be limited to certain times of the year. I therefore confirm this registration with the following modifications, namely, the deletion of "and the appropriate number of horses and cattle in lieu of sheep" and the substitution of "ewes with or without lambs from 1 January to 31 March, from 1 August to 31 October, and from 1 December to 31 December in any year and 125 ewes with or without lambs at all other times of the year" for " (together with such hoggs and followers as are necessary to maintain the ewe flock)".

Entry No. 6. In a letter dated 6 October 1980, addressed to the Clerk of the Commons Commissioners, solicitors acting for the executors of J F D Ward, deceased, the applicant for the registration, stated that they had decided to "withdraw" the application. I therefore refuse to confirm this registration.

Entry No. 7 In a letter dated 6 October 1980, addressed to the Clerk of the Commons Commissioners, solicitors acting for Mr and Mrs W E Wright, the applicants for the registration, stated that they had decided to "withdraw" the application. I therefore refuse to confirm the registration.

Entry Nos 8 and 9 Mr Mitchell informed me that it had been agreed that the right in respect of each of these registration should be limited to the right to graze 80 ewes with or without lambs from 1 January to 31 March, from 1 August to 31 October, and from 1 December to 31 December in any year and



40 ewes with or without lambs at all other times of the year. I therefore confirm these registrations with the modifications necessary to give effect to this agreement.

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 22nd day of October 1980

Chief Commons Commissioner