



COMMONS REGISTRATION ACT 1965

262/D/841-842

In the Matter of a Public Claypit near High
Buckabank, Dalston

DECISION

This dispute relates to the registration at Entry No 1 in the ownership section of Register Unit No.CL.209 in the Register of Common Land maintained by the Cumbria County Council and is occasioned by the conflicting registration at Entry No 2 in the same section of Register Unit No.CL.209 in the Register of Common Land maintained by the Council.

I held a hearing for the purpose of inquiring into the dispute at Carlisle on 17 December 1981. The hearing was attended by Mr A F Cope (Clerk) who appeared for Dalston Parish Council. No one appeared for the Church Commissioners who had withdrawn their application by letter.

Mr Cope informed me that the Parish Council had maintained the unit for many years and received a wayleave rental in respect of it.

For these reasons I confirm the registration at Entry No. 1 and refuse to confirm the registration at Entry No. 2.

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 January 1982

George Thomas

Commons Commissioner.