



In the Matter of Bolton Fell Moss,
Hethersgill, Cumbria
(No. 2)

DECISION

These disputes relate to the registrations at Entry Nos. 1 to 24 in the Rights Section of Register Unit No. CL 229 in the Register of Common Land maintained by the Cumbria County Council and are occasioned by Objection No. 137 made by Mr T S Simpson, and Objections Nos. 120 and 135 made by the Hethersgill Parish Council and all noted in the Register on 4 August 1972.

I held a hearing for the purpose of inquiring into the dispute at Carlisle on 22 March 1983. The hearing was attended by Mr J M Hall, Solicitor, on behalf of Mr R Saunders, the applicant for the registration at Entry No. 18 and of Mr and Mrs R Mitchinson, the successors in title of Mr and Mrs S E Baxter, the applicants for the registration at Entry No. 2, Mr A H B Holmes, Solicitor, on behalf of Mr T Atkinson, the applicant for the registration at Entry No. 15, and Mr M E Cousins, Solicitor, on behalf of Mrs E W Bell, the applicant for the registration at Entry No. 12, of Mrs V M Sunley, the applicant for the registration at Entry No. 17, and of Mr and Mrs P Ruddick, the successors in title of Ms M Elliot, the applicant for the registration at Entry No. 6, and Mr T A Strogen, Mr J W Alston, Mr G Sisson and Mr F J Dobson, the applicants for the registrations at Entry Nos. 9, 10, 15, 8 respectively and Mr T S Simpson, the applicant for the registrations at Entry Nos. 21 and 22, appeared in person.

For the reasons given in my decision in In the Matter of Bolton Fell Moss, Hethersgill (No. 1) (1983), Ref. Nos. 262/D/783-784,

I refuse to confirm all the registrations.

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

15th

day of

April

1983

Chief Commons Commissioner