



COMMONS REGISTRATION ACT 1965

Reference No. 262/D/665-673

In the Matter of Drumburgh Moss,
Bowness

DECISION

This dispute relates to the registration at Entry No. 1 in the Land Section of Register Unit No. VG 48 in the Register of Town or Village Greens maintained by the former Cumberland County Council and is occasioned by Objection No. 228 made by the Earl of Lonsdale and noted in the Register on 22 October 1971, the conflicting registration at Entry No. 1 in the Land Section and at Entry Nos. 1 and 2 in the Rights Section of Register Unit No. CL 155 in the Register of Common Land maintained by the Council, the conflicting registration at Entry No. 1 in the Land Section and at Entry Nos. 1-4 in the Rights Section of Register Unit No. CL 153 in the said Register of Common Land and to the conflicting registration at Entry No. 1 in the Land Section and at Entry Nos. 1-3 in the Rights Section of Register Unit No. CL 307 in the said Register of Common Land.

I held a hearing for the purpose of inquiring into the dispute at Keswick on 2 July 1981. The hearing was attended by Mr Fryer Spedding (of Counsel) instructed by Messrs Dickinson Dees, Solicitors of Newcastle-upon-Tyne on behalf of the Objector and Miss E Rhone (a member of the Council) for Cumbria Naturalists Trust Limited.

The applicant for registration, the Commons and Open Spaces Preservation Society had withdrawn the ~~the~~ application by letters dated 31 May 1973 and 17 June 1981.

For these reasons 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 13th day of July 1981

George Hewlett

Commons Commissioner