



COMMONS REGISTRATION ACT 1965

Reference Nos. 262/D/402-411

In the Matter of Farleton Knott, Farleton,
Beetham, Cumbria (No. 2)

DECISION

These disputes relate to the registration at Entry No. 1 in the Ownership Section of Register Unit No. CL 31 in the Register of Common Land maintained by the Cumbria County Council and are occasioned by Objection No. 1/12 made by Mr G F Wilson, Objection No. 1/13 made by Mr J S Atkinson, Objection No. 1/14 made by Mr S L Elliott, Objection No. 1/15 made by Mr H Coales, Objection No. 1/16 made by Mr K E Robinson, Objection No. 1/17 made by Mr J W Robinson, Objection No. 1/18 made by Mr S Pickett, Objection No. 1/19 made by Mr C J R Ratcliff, Objection No. 1/20 made by Mr A Forsyth and Objection No. 1/33 made by Mrs J Atkinson.

I held a hearing for the purpose of inquiring into the dispute at Kendal on 9 June 1981. The hearing was attended by Mr R W Sykes, Solicitor, on behalf of Brigadier C E Tryon-Wilson, the applicant for the registration and by Mr J A Hesmondhalgh, Solicitor, on behalf of the Objectors.

The Objectors were also the applicants for registrations in the Rights Section of the Register Unit to which the Objector had objected. After I had heard evidence directed to proving that the Objector had a possessory title to the land comprised in the Register Unit and Mr Sykes had stated that he was not in a position to pursue the Objections in respect of the registrations in the Rights Section, the Objectors decided not to pursue the Objections by which these disputes were occasioned.

In these circumstances I confirm the registration.

Perhaps I should add that this is in accordance with the provisional view which I had formed on the evidence.

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

19th

day of

June

1981

Chief Commons Commissioner