



In the Matter of Grisedale Forest
Patterdale, Cumbria (NO.3)

DECISION

This dispute relates to the registration at Entry No 1 in the Ownership Section of Register Unit No.CL.57 in the Register of Common Land maintained by the Cumbria County Council and is occasioned by the conflicting registration at Entry No 1 in the Ownership Section of Register Unit No.CL.160 in the Register of Common Land maintained by the Council.

I held a hearing for the purpose of inquiring into the dispute at Penrith on 29 October 1980. The hearing was attended by Mr D Mellor, Solicitor, on behalf of Ms S M McCosh, the applicant for the registration.

The conflict is more apparent than real, having been caused by an error in the part of the registration authority, the former Westmorland County Council, in registering in Register Unit No.CL.160 land which was already comprised in Register Unit No.CL.57. I have come to the conclusion that the only way in which I can resolve the difficulty thereby occasioned is by not confirming either registration, leaving the question of the ownership in each case to be referred by the present County Council under section 8 of the Commons Registration Act 1965.

I refuse to confirm this 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

17th

day of November 1980

Chief Commons Commissioner