



COMMONS REGISTRATION ACT 1965

Reference No. 262/U/236

In the Matter of Holes Shields
Quarries, Hethersgill, Cumbria

DECISION

This reference relates to the question of the ownership of land known as Holes Shields Quarries, Hethersgill, being the land comprised in the Land Section of Register Unit No. CL 231 in the Register of Common Land maintained by the Cumbria County Council of which no person is registered under section 4 of the Commons Registration Act 1965 as the owner.

Following upon the public notice of this reference Messrs George Dinning and Sons claimed to be the freehold owners of the land in question and no other person claimed to have information as to its ownership.

I held a hearing for the purpose of inquiring into the question of the ownership of the land at Carlisle on 7 February 1980.

At the hearing Messrs George Dinning and Sons were represented by Mr S Hayard, Solicitor, and the Hethersgill Parish Council by Mr J J Hogg, its Clerk.

Apart of the land comprised in the Register Unit, consisting of Ordnance No. 876, was conveyed to Messrs George Dinning and Sons by a Conveyance made 6 December 1963 between (1) Thomas Davidson (2) Joseph William Dinning, Robert Gibson Dinning and Norman Dinning carrying on business in partnership under the style or firm of "George Dinning and Sons".

On this evidence I am ~~not~~ satisfied that Mr J W Dinning, Mr R G Dinning and Mr N Dinning are the owners of O.S. No. 876 and I shall accordingly direct the Cumbria County Council, as registration authority, to register them as the owners of the land under section 8(2) of the Act of 1965.

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

1st

day of

August

1980

Chief Commons Commissioner