



COMMONS REGISTRATION ACT 1965

Reference Nos 262/D/596-598

In the Matter of Lowick High Common, Lowick and
Cubberthwaite, Cumbria (NO. 1)

DECISION

These disputes relate to the registration at Entry No 1 in the Ownership Section of Register Unit No.CL.40 in the Register of Common Land maintained by the Cumbria County Council and are occasioned by the conflicting registration at Entry Nos 2 and 3 in the ~~same~~ section of the Register Unit.

I held a hearing for the purpose of inquiring into the dispute at Kendal on 10 June 1981. The hearing was attended by Mr R F Hart-Jackson, Solicitor, on behalf of Mr and Mrs R W Hind, the successors in title of Ms E M Mather, Ms N Mather, and Mr J A Mather, the applicants for the registration, and by Mr C Aitchinson, the agent of the Holker Estate Trust, the applicant for the conflicting registration at Entry No. 2. There was no appearance on behalf of Border Engineering Contractors Ltd, the applicant for the conflicting registration at Entry No. 3.

Mr Hart-Jackson informed me that Mr and Mrs Hind agreed that they were not the owners of the land the subject of the registration at Entry No. 2.

I confirm the registration with the following modification: namely, the exclusion of the land the subject of the registration at Entry No. 2.

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, 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

19~~8~~²

day of

June

1981

Chief Commons Commissioner