



COMMONS REGISTRATION ACT 1965

Reference No. 262/D/599

In the Matter of Lowick High Common, Lowick
and Subberthwaite, Cumbria (No. 3)

DECISION

This dispute relates to the registration at Entry No. 3 in the Ownership Section of Register Unit No. CL 40 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 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 conflicting registration. There was no appearance on behalf of Border Engineering Contractors Limited, the applicant for the registration.

In the absence of any evidence to support the registration, I refuse to confirm it.

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

June

1981

Chief Commons Commissioner