



COMMONS REGISTRATION ACT 1965

Reference No 262/D/365

In the Matter of Pinfold, High  
Hesket, Hesket, Eden District,  
Cumbria

DECISION

This dispute relates to the registration at Entry No 1 in the Land Section of Register Unit No CL432 in the Register of Common Land maintained by the Cumbria (formerly Cumberland) County Council and is occasioned by Objection No 225 made by R Lancaster & Sons (Cleveleys) Ltd and noted in the Register on 4 August 1972.

I held a hearing for the purpose of inquiring into the dispute at Penrith on 24 October 1980. At the hearing (1) R Lancaster & Sons (Cleveleys) Ltd were represented by Mr G B Shaw solicitor of Shaw Davenport & Wilson, Solicitors of Blackpool; and (2) Mrs Annie Nicholson Bulman on whose application jointly with Mr Percy Ernest Bulman the said registration was made, was represented by Mr I Ward solicitor with Robert Ripon, Solicitors of Carlisle.

According to the Register map, the land in this Register Unit is on the east side of and adjoins the A6 (Penrith to Carlisle) road, is about 60 yards long about 15 yards wide, and is situated at a road junction a short distance south of High Hesket. The grounds of the Objection are that the land was not common land at the date of registration.

Mr Ward said that Mr P E Bulman is now deceased and the registration is now withdrawn. In the absence of any evidence in support of the registration, I conclude that it was not properly made, and accordingly 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 8<sup>th</sup> — day of January — 1981

a a. Baden Fuller

Commons Commissioner