



In the Matter of Soutergate Marsh, Kirkby Ireleth,
Cumbria (No. 2)

DECISION

These disputes relate to the registrations at Entry Nos 1, 3 and 5 in the Rights section of Register Unit No. CL 86 in the Register of Common Land maintained by the Cumbria County Council and are occasioned by Objections 262 and 265 both made by the Kirkby Ireleth Commoners Association and Objection No. 264 made by Mr W Coward and all noted in the Register on 10 March 1972.

I held a hearing for the purpose of inquiring into the dispute at Kendal on 30 March 1982. The hearing was attended by Mr W J Ilett, solicitor, on behalf of Mr J Coward, the executor of Mr W Coward, who was the applicant for the registration at Entry No. 1 as well as an objector, by Mr M S Graham, solicitor, on behalf of Mr E Procter, the survivor of the applicants for the registrations at Entry Nos 3 and 5, and by Mr J W Curwen, the Chairman of the Kirkby Ireleth Commoners Association.

Mr Ilett and Mr Graham both asked me to refuse to confirm the registrations, which I accordingly do.

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

7th

day of

April

1982

Chief Commons Commissioner