



In the Matter of Wedholme Flow, Kirkbride,  
Cumbria (No. 1)

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DECISION

These disputes relate to the registrations at Entry Nos 1 to 18 in the Rights section of Register Unit No. CL 313 in the Register of Common Land maintained by the Cumbria County Council and are occasioned by Objection No. 207 made by Mr J T Wills and Objection No 208 made by Miss E M Wills and Mrs E Kimber and both noted in the Register on 4 August 1972.

I held a hearing for the purpose of inquiring into the dispute at Keswick on 10 November 1980. The hearing was attended by Mr J F Moffat, solicitor, on behalf of Mr J E Graham, the applicant for the registration at Entry No 3, Ms E M Bell the applicant for the registration at Entry No. 5, Mr S Armstrong, the applicant for the registration at Entry No. 17, and Mr C E Burfield, the applicant for the registration at Entry No. 18, by Mr G F Ritson, solicitor, on behalf of Mr W McKie, the applicant for the registration at Entry No. 8, and Mrs M S Briggs, the successor in title of Major C Nicholson, the applicant for the registration at Entry No. 16, by Mr A R Nobbs, solicitor, on behalf of Mrs D H Barron, the applicant for the registration at Entry No. 14, and by Mr J Mawson, solicitor, on behalf of the Objectors. There was no appearance by or on behalf of the other applicants for registrations.

Mr Moffat, Mr Ritson, and Mr Nobbs said that their clients claimed to be the freehold owners of parts of the land comprised in the Register Unit, and that they wished to have their respective ownerships registered when a reference under section 8 of the Commons Registration Act 1965 comes to be made rather than have rights registered.

In these circumstances I refuse to confirm the registrations.

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

21st

day of

November.

1980

*G. J. Kimber*