



In the Matter of A Freestone Quarry near Gill,
Dalston, Cumbria (No. 1)

DECISION

This dispute relates to the registration at Entry No. 1 in the Land section of Register Unit No CL210 in the Register of Common Land maintained by the Cumbria County Council and is occasioned by Objection No. 106 made by Mrs M E Thompson and noted in the Register on 4 October 1970.

I held a hearing for the purpose of inquiring into the dispute at Carlisle on 7 April 1981. The hearing was attended by Mr P Pickles, solicitor, on behalf of the Objector. There was no appearance on behalf of the Church Commissioners for England, the applicants for the registration, but Mr Pickles handed to me a document signed on behalf of the Commissioners and dated 6 March 1981. As typed this document requested me to refuse to confirm the registration, but the words "refuse to" have been struck out in ink and above them there is an illegible ink-mark, which Mr Pickles informed me was intended to cancel the deletion. Mr Pickles said that the Church Commissioners were "backing out". This is borne out by there being no appearance on behalf of the Commissioners.

In these circumstances I refuse to confirm the registration.

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

28th

day of

April

1981

Chief Commons Commissioner