



COMMONS REGISTRATION ACT 1965

Reference No. 262/D/377-3

In the Matter of Bootle Sandhills or Eskmeals  
Common Bootle

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DECISION

These disputes relate to the registration at Entry No 1 in the Land Section of Register Unit No. CL.438 in the Register of Common Land maintained by the Cumbria County Council and are occasioned by Objection No. 122 made by the Secretary of State for Defence and Objection No 163 made by M B C Butler Cole and noted in the Register of 4 August 1972. The registration was made on the application of the Society for Preservation of Public Rights in Drigg and neighbouring areas.

There are no Entries in the Rights Section.

I held a hearing for the purpose of inquiring into the dispute, at Whitehaven on 26 November 1980. The hearing was attended by Mr Bremner, representing the Society, by Mr H B Jones of the Treasury Solicitor's Office representing the Secretary of State: and by Mr Green of the Registration Authority.

Two separate parts of the land comprising ~~is~~ the Register Unit, together constituting the whole or very nearly the whole of the land, were owned by the Objectors respectively, and are now both owned, it appears, by the Secretary of State. Mr Bremner told me that the Society withdraws the registration, 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 12 January 1981

*L. J. Morris Smith*

Commons Commissioner.