



COMMONS REGISTRATION ACT 1965

Reference No. 262/D/87

In the Matter of Longdale Fell,
Orton, Cumbria (No. 4)

DECISION

This dispute relates to the registration at Entry No. 3 in the Ownership Section of Register Unit No. CL 42 in the Register of Common Land maintained by the Cumbria County Council and is occasioned by the conflicting registration at Entry No. 2 in the same section of the register unit.

I held a hearing for the purpose of inquiring into the dispute at Penrith on 23 April 1980. The hearing was attended by Mr R A Sterling, of Counsel, on behalf of Mr J Herd, the applicant for the registration and by Mr Fryer Spedding, of Counsel, on behalf of the Earl of Lonsdale, the applicant for the conflicting registration.

The conflict relates to only a part of the land the subject of the conflicting registration. This part, known as Grains, is the subject of the registration.

Mr Spedding informed me that he was instructed not to pursue the conflicting registration in so far as it related to Grains.

In these circumstances I 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 5th day of June 1980

Chief Commons Commissioner