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L.G. 9833.

Law of Property Act 1925. (1925/167)

Order of Limitations with Map.

ESKDALE FELL - CUMB^{LD.}

Fee Paid
£ 10
1/12/34

LAW OF PROPERTY ACT, 1925. (SECTION 193 (1) (b)),

ESKDALE HILL - CUMBERLAND.

ORDER OF THE MINISTER OF AGRICULTURE AND FISHERIES IMPOSING
LIMITATIONS ON AND CONDITIONS AS TO THE EXERCISE OF
RIGHTS OF PUBLIC ACCESS.

WHEREAS the piece of land with the ponds, streams, paths and roads thereon commonly known as ESKDALE HILL (Part of) situate in the Parishes of Eskdale and Wasdale and Nether Wasdale (Detached) in the County of Cumberland and hereinafter referred to as "the land" as the same is delineated in the plan annexed hereto and thereon coloured green is land which, on the 1st January, 1926, was subject to rights of common and to which section 193 of the Law of Property Act, 1925, has been applied in manner provided by subsection (2) thereof:

A N D WHEREAS application has been duly made to the Minister of Agriculture and Fisheries (hereinafter called "the Minister") by the person entitled as lord of the manor to the soil of the land to impose in accordance with the provisions of the said section, limitations on and conditions as to the exercise by members of the public of their rights of access to the land.

Lord of the Manor

A N D WHEREAS the Minister is of opinion that the limitations and conditions set forth in the schedule hereto are necessary or desirable for the purposes mentioned in the said section;

N O W THEREFORE the Minister in exercise of the powers conferred upon him by the Ministry of Agriculture and Fisheries Acts, 1889 to 1919, and the said Act hereby ORDERS as follows:-

1. The rights of access of members of the public to the land for air and exercise shall be subject to the limitations and conditions set forth in the Schedule hereto.
2. This Order with the relative plan shall be deposited at the Office of the Ministry 7, Old Bailey, London E.C.4, and certified copies thereof shall be deposited with the Councils of the Rural Districts of Bootle and Whitehaven being the Rural Districts in which the land is wholly or partly situated. The original document and the certified copies shall be open to inspection on weekdays at any time between 10 a.m. and 4 p.m. except on Saturdays, when they shall be available for inspection between 10 a.m. and 12 noon, and on public holidays.
3. Notices of the making of this Order shall be posted or painted clearly and maintained in that condition by The Rt. Hon. Charles Henry Baron Leconfield and his sequels in title to the land on notice boards at the following places on the land, namely:-

- (1) Inside the gate at the North East end of Smithy Brow Lane, at Fell End, near Eskdale Green;
 - (2) Inside the gate at the foot of Boot Bank, near Boot Village.
 - (3) Near the road leading from Wasdalehead at the Northern extremity of the land;
- where indicated by red crosses on the said plan.

IN WITNESS whereof the Official Seal of the Minister of Agriculture and Fisheries is hereunto affixed this *seventeenth* day of *January* Nineteen hundred and thirty-four.

R. Jenover

AUTHORISED BY THE MINISTER

SCHEDULE.

Otherwise than in the lawful exercise of a right of common no person shall:-

- (a) Injure or remove trees, shrubs, gorse, bracken, heather or plants on or from the land.
- (b) Remove gravel, sand, soil or turf from the land.
- (c) Take or attempt to take fish from any water comprised in the land.
- (d) Discharge firearms or throw or discharge missiles on the land.
- (e) Shoot or wilfully disturb, chase, or take game or other birds or animals on the land.
- (f) Permit dogs to chase game or other birds or animals or otherwise fail to keep dogs under proper control on the land.
- (g) Remove or attempt to remove birds' eggs or nests on the land.
- (h) Set traps, nets or snares or lime trees for birds or animals on the land.
- (i) Permit horses, cattle, sheep or other animals (not belonging to a commoner) to graze or stray on the land.
- (j) Bathe in any pond or stream comprised in the land.
- (k) Post or paint bills, advertisements, placards or notices on the land.
- (l) Injure notice boards or seats on the land.
- (m) Place or deposit and leave any glass, china, earthenware, tin, carton, paper or other refuse or litter so as to affect or tend to affect injuriously the public amenities of the land.
- (n) Injure or disfigure any ancient monument or earthwork or object of historical, scientific or antiquarian interest on the land.

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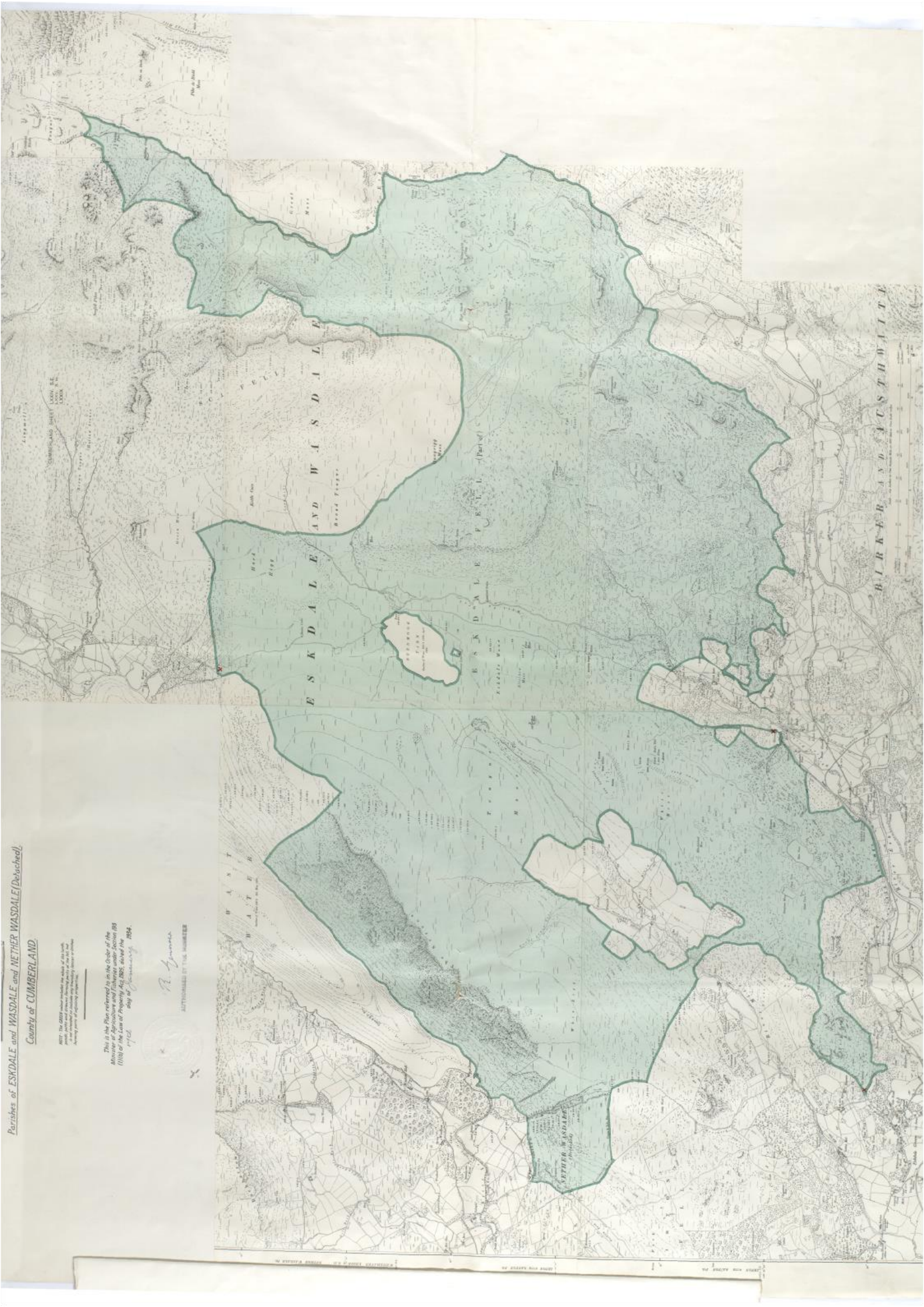
- (o) Break in horses or grooms or others on the land.
- (p) Hold any show, exhibition or fair or place any swing, roundabout or other like thing on the land.
- (q) Erect or place any building, tent, booth, stall, fence, post, railing or other similar structure for any purpose on the land
- (r) Create any nuisance or disturbance, use obscene language on the land, or behave thereon in an indecent or disorderly manner to the annoyance of any person.
- (s) Generally injure or disfigure the land or interfere with the use thereof by the public for the purposes of air and exercise.

Parishes of ESKDALE and WASDALE and NETHER WASDALE (Detached)
County of CUMBERLAND

NOTE: The GREEN color indicates the extent of the water
course as shown on the map in the year 1864
and is not intended to indicate the present
boundary of the parishes.

This is the Plan referred to in the Order of the
Minister of Agriculture and Fisheries under Section 93
of the Local Government Act, 1929, dated the
14th day of December, 1929.

R. J. ...
AUTHORISED BY THE MINISTER



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Dated 7th April 1933.

Deed of Declaration

— made by —

The Right Honourable
Charles Henry Baron Leconfield

— under —

The Law of Property Act, 1925
Section 193 (2)

— relating to —

Erskdale Fell (part of)

Cumberland.

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I do hereby certify that this deed has been deposited with the Minister of Agriculture and Fisheries under Sub-section (2) of Section 193 of the Law of Property Act, 1925 this twenty-third day of June, 1933.

In Witness whereof the Official Seal of the said Minister is hereunto affixed.

W. A. G. G. G.

APPROVED BY THE MINISTER

W. A. G. G. G.

83 Inn Cokermouth



KNOW ALL MEN by this Deed that WHEREAS the land coloured Green on the plan hereto annexed and known as Eskdale Fell and situate in the Parishes of Eskdale and Wasdale and Nether Wasdale (Detached) in the County of Cumberland (hereinafter called "the Common") is land subject to rights of common to which Section 193 of the Law of Property Act, 1925, may be applied AND WHEREAS the soil of the Common is vested in me Charles Henry Baron Leconfield of Cokermouth Castle in the said County as tenant for life of the Leconfield Settled Estates AND WHEREAS I deem it expedient that the said Section be applied to the Common NOW THEREFORE in exercise of the power conferred on me by the said Section I hereby declare that the said Section shall apply to the Common as from the date when this Deed shall have been deposited with the Minister of Agriculture and Fisheries (hereinafter called "the Minister") until I or other the person or persons for the time being entitled to the soil of the Common shall by six months' notice in writing given to the Minister revoke these presents subject however to the provisions in the said section contained and to such limitations and conditions (if any) as the Minister may from time to time make and impose.

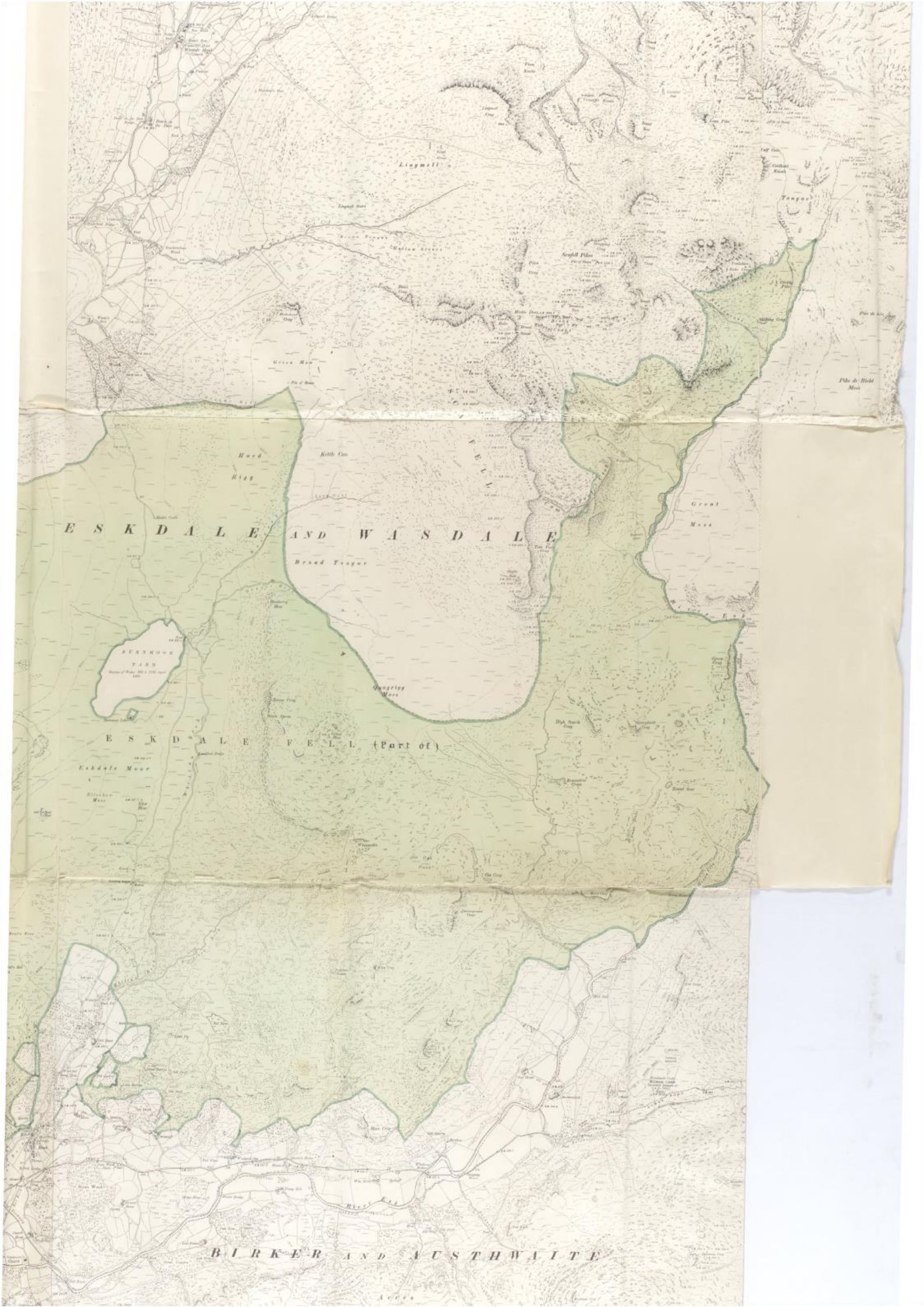
Lord of the Manor

IN WITNESS whereof I have hereunto set my hand and seal this 7th day of April 1933.

SIGNED SEALED AND DELIVERED BY THE ABOVE NAMED CHARLES HENRY BARON LECONFIELD IN THE PRESENCE OF

*J. H. Bennett
Private Secretary*

Leconfield 



Lingmoor

Tongue

E S K D A L E AND W A L S D A L E

BURNWOOD TARN

E S K D A L E F E L L (Part of)

B I R K E R AND A U S T H W A I T E

ESKDALE FELL (PART OF)

PARISHES OF BILDAL AND WASDALE AND
NETHER WASDALE (Detached).
COUNTY OF CUMBERLAND.

THIS IS THE MAP REFERRED TO IN THE DEED
OF DECLARATION MADE BY THE RIGHT HONOURABLE
CHARLES HENRY BARNON LECONFIELD DATED THE
7th DAY OF *April* 1858.

THE GREEN COLUMN EMBLING INCLUDES THE WHOLE OF
THE LANDS, PONDS, PATHS AND STREAMS FORMING
PARTS OF THE COMMON, BUT IS NOT INTENDED TO
INCLUDE ANY BOUNDARY DITCHES FORMING PARTS OF
THE ADJOINING PROPERTIES.

Adjusted to the New Spheroid Geoid and Mean Sea Level in 1858

CHARACTERISTICS AND SYMBOLS.

| | | | |
|------------------|-----------|------------------|-----------|
| County Boundary | — — — — — | Watercourse | — — — — — |
| Parish Boundary | — — — — — | Stream | — — — — — |
| Manor Boundary | — — — — — | Drainage Channel | — — — — — |
| Rectory Boundary | — — — — — | Watercourse | — — — — — |
| Manor Boundary | — — — — — | Watercourse | — — — — — |
| Manor Boundary | — — — — — | Watercourse | — — — — — |

No other information is shown on this map.



The altitudes of land and water heights are given in feet above the mean level of the sea at Liverpool, and are based on the revised primary levelling of 1856. The numbers on this map are referred to the old Ordnance Survey Datum, as assumed since the level of Liverpool, and are not based on the revised primary levelling of 1856. There may thus be discrepancies of some inches between the numbers and the bench marks and spot heights.

