



COMMONS REGISTRATION ACT 1965

Reference Nos 262/U/349
262/U/350

In the Matter of (1) a watering place near Stonebridge, and (2) another watering place, both in Bigland, Aikton, Allerdale District, Cumbria

DECISION

These references relate to the question of the ownership of lands (1) being a watering place near Stonebridge and (2) another watering place a little less than 300 yards to the north, both in Bigland, Allerdale District being the lands comprised in the Land Section of Register Unit (1) No. CL300 and (2) No. CL301 in the Register of Common Land maintained by the Cumbria (formerly Cumberland) County Council of which no person is registered under section 4 of the Commons Registration Act 1965 as the owner.

Following upon the public notice of this reference no person claimed to be the freehold owner of the lands in question and no person claimed to have information as to its ownership.

I held a hearing for the purpose of inquiring into the question of the ownership of the lands at Keswick on 29 April 1981. At the hearing Aikton Parish Council on whose application these registrations were made, were represented by Mr W Howe their chairman.

Mr Howe said that these lands were formerly used as watering places for cattle in the neighbourhood and for animals on the adjoining highway. Being no longer so used, they had become half filled up; nevertheless the Parish Council wished to preserve them and particularly to prevent encroachment. After some discussion as to the possible operation of the powers conferred by the below mentioned section 9, and it appearing that the Council could offer no evidence of ownership, I am not satisfied that any person is the owner of the lands, and they will therefore remain subject to protection under section 9 of the Act of 1965.

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 4th — day of June — 1981

a. a. Bain Fulle

Commons Commissioner