



COMMONS REGISTRATION ACT 1965

Reference Nos 262/U/292
262/U/293
262/U/294

In the Matter of (1) part of OS plot No 352a, (2) the sheepfold OS plot No 385, and (3) four pieces in the Village of Great Musgrave, Musgrave, Eden District, Cumbria.

DECISION

These references relate to the question of the ownership of lands being (1) part of OS plot No. 352a, (2) the sheepfold, OS plot No. 385, and containing about 0.555 acres, and (3) four pieces in the Village of Great Musgrave, all in Musgrave, Eden District and being the lands comprised in the Land Section of Register Unit (1) No. VG 35, (2) No. VG 36, and (3) No. VG 37 in the Register of Town or Village Greens maintained by the Cumbria (formerly Westmorland) 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 Musgrave Parish Council claimed (letter of 2 June 1980) ownership of the lands in question, and no other person claimed to be the freehold owner of the lands or to have information as to their ownership.

I held a hearing for the purpose of inquiring into the question of the ownership of the lands at Penrith on 5 July 1980. At the hearing Musgrave Parish Council on whose application the registrations were made, were represented by Mr W Steadman their chairman.

Mr Steadman said that the Parish Council could offer no evidence of ownership. So in the absence of any evidence I am not satisfied that any person is the owner of the lands, and I shall accordingly direct the Cumbria County Council, as registration authority, to register Musgrave Parish Council as the owner of the lands under section 3(3) 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 21st — day of July — 1980

a. a. *Baron Fuller*

Commons Commissioner