



In the Matter of A Public Quarry at Millrigg,
Stainton, Dacre, Cumbria

DECISION

This reference relates to the question of the ownership of a public quarry at Millrigg, Stainton, Dacre being the land comprised in the Land Section of Register Unit No. CL 350 in the Register of Common Land maintained by the Cumbria 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 land in question and no one 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 land at Carlisle on 23 March 1983.

At the hearing the Dacre Parish Council was represented by Mr C Wilding, its Clerk.

By the award made 16 September 1775 under the Great and Little Stainton Inclosure Act of 1772 (12 Geo. III, c. 141 (private)) it was directed and ordered that the land in question should be a public quarry.

This award was the subject of consideration by Mr Commissioner Baden Fuller in In the Matter of A Quarry known as Lackay, Stainton, Dacre (1982), Ref. No. 262/U/465. In that case the learned Commissioner decided that the quarry in question had passed to the Dacre Parish Council as successors of the Churchwardens and Overseers of Stainton. I see no reason to disagree with that decision. I am accordingly satisfied that the Dacre Parish Council is the owner of the land, and I shall accordingly direct the Cumbria County Council, as registration authority, to register the Parish Council as the owner of the land under section 8(2) 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

12~~13~~

day of

April

1983

[Handwritten Signature]

Chief Commons Commissioner