



In the Matter of a Public Watering Place at
Brackenthwaite, Westward, Allerdale D

DECISION

This reference relates to the question of the ownership of land known as a public watering place at Brackenthwaite, Westward, Allerdale D being the land comprised in the Land Section of Register Unit No. 84 in the Register of Common Land maintained by the former 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 Westward Parish Council claimed to be the freehold owner of the land in question and no other 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 land at Cockerthwaite on 10 July 1979.

Mr Adams and Mr Pigg appeared for Westward Parish Council. The land in question is identified by the letter L in the Westward Inclosure Award. The evidence in this case is indistinguishable from that in the case of CL 81 Ref 262/U/100.

On this evidence I am not satisfied that any person is the owner of the land, and it 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

31st

day of

July

1979

G A Little

Commons Commissioner