



In the Matter of Banks Top Green in the Hamlet of Banks, Burtholme, Cumbria

DECISION

This reference relates to the question of the ownership of land known as Banks Top Green in the Hamlet of Banks, Burtholme being the land comprised in the Land Section of Register Unit No. VG.5 in the Register of Town or Village Greens 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 27 March 1984.

There was no appearance at the hearing.

In the absence of any evidence I am not satisfied that any person is the owner of the land, and I shall accordingly direct the Cumbria County Council, as registration authority, to register the Burtholme Parish Council as the owner of the land under section 8 (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 6th day of April 1984


Chief Commons Commissioner