



COMMONS REGISTRATION ACT 1965

Reference No. 262/U/333

In the Matter of Blue Bell
Quarry, Embleton and District
Parish, Allerdale District,
Cumbria

DECISION

This reference relates to the question of the ownership of land known as Blue Bell Quarry, Embleton and District Parish, Allerdale District being the land comprised in the Land Section of Register Unit No. CL371 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 Mr Robert Skelton Teasdale claimed (his Solicitor's letter of 2 December 1980) 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 Keswick on 27 April 1981. At the hearing (1) Embleton and District Parish Council as successors of Embleton Parish Council on whose application the registration in the Land and Rights Section was made, were represented by Mr D W Todhunter their clerk; and (2) Mr J R Teasdale was represented by Mr A R Nobbs Solicitor of Oglethorpe and Hough Solicitors of Keswick.

Mr Nobbs said that Mr Teasdale did not now claim ownership of the land in question and explained by reference to a map which he produced that Mr Teasdale being owner of nearly all the land on the east, north and west, had when the claim above-mentioned was made been mistakenly thought to be the owner too of this land.

Mr Todhunter said that the Parish Council did not claim ownership. So in the absence of any 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 4th — day of June 1981

a a. Baden Fuller

Commons Commissioner