

In the Matter of Brick Dubs Field, High SeatonDECISION

This reference relates to the question of the ownership of the above land being the land comprised in the Land Section of Register Unit No. CL.116 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 the Seaton Parish Council claimed to be the freehold owners 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 23 July 1986.

At the hearing the Seaton Parish Council were represented by Mr Francis John Hornsby their clerk and the Registration Authority by Mr T Greer.

Mr Hornsby gave evidence that, while the Parish Council had no deeds relating to this land, it had regularly been let by them. He had been clerk since 1979. He produced the minute book which showed that the land had been let by the council annually by tender up to 1980 and thereafter rent free.

On this evidence I am satisfied that the Seaton Parish Council are the owners of the land, and I shall accordingly direct the Cumbria County Council, as registration authority, to register the Seaton 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 this decision is sent to him, require me to state a case for the decision of the High Court.

Dated this 30th day of July 1986

Peter Landon. Davis

Chief Commons Commissioner