



In the Matter of Byers Farm, The Pond and Langwith
at Moorhouse, Burgh-by-Sands, Cumbria

DECISION

This reference relates to the question of the ownership of land known as Byers Farm, The Pond and Langwith at Moorhouse, Burgh-by-Sands, being the land comprised in the Land Section of Register Unit No. CL 43 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 Burgh-by-Sands 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 Carlisle on 5 February 1980.

At the hearing the Parish Council was represented by Mrs J M Johnson, its Chairman.

The Parish Council has taken possession of the three pieces of land comprised in this Register Unit, but in no case has it been in possession for long enough to have acquired a possessory title to the land.

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 21st day of February 1980

Chief Commons Commissioner