



COMMONS REGISTRATION ACT 1965

Reference No 262/U/60

In the Matter of Church Road Green, Seaton,
Cumbria

DECISION

This reference relates to the question of the ownership of land known as Church Road Green being the land comprised in the Land Section of Register Unit No VG 36 in the Register of Town or Village Greens 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 no person claimed to be the freehold owner of the land in question or 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 Cockermouth on 23 May 1979. The hearing was attended by Mr J Greer of the Registration Authority and by Mr F J Hornsby, the Clerk to Seaton Parish Council.

On part of the Green is a building, formerly a school, but now used as Parish Rooms, as it has been since about 1900. The Parish Council has had exclusive occupation of the Rooms. The remaining surface of the Green is not used. I am satisfied that the Parish Council has a possessory title to the building and its site, which I think I can properly treat as extending to the Green as a whole (which otherwise would vest in the Parish Council under Section 8(3) of the Act of 1965) and I shall accordingly direct the Cumbria County Council, as registration authority, to register 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 the decision is sent to him, require me to state a case for the decision of the High Court.

Dated this

21st

day of

August

1979.

L. J. Morris Smith

Commons Commissioner