



In the Matter of Common Holme Stone Quarry,  
Cliburn, Cumbria

DECISION

This reference relates to the question of the ownership of land known as Common Holme Stone Quarry, Cliburn, being the land comprised in the Land Section of Register Unit No. CL 135 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 Earl of Lonsdale and his Settled Land Act Trustees 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 Penrith on 30 October 1980.

At the hearing Lord Lonsdale was represented by Mr J J Fryer Spedding, of Counsel and the Cliburn Parish Meeting was represented by Mr J Scott, its Clerk.

By the Inclosure Award made on 2 November 1820 under the Cliburn Inclosure Act of 1806 (46 Geo. III, c. cix) it was ordered, directed and appointed that the land in question should be a public stone quarry for the use of the occupiers, owners, and proprietors of messuages, lands, and tenements within the manor of Cliburn. This did not affect the ownership of the soil, which remained in the lord of the manor, whose successor Lord Lonsdale is and in whom this land was vested by a vesting deed made on 5 December 1953.

On this evidence I am satisfied that Lord Lonsdale is the owner of the land, and I shall accordingly direct the Cumbria County Council, as registration authority, to register him 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

17<sup>th</sup>

day of

November

1980

Chief Commons Commissioner