



COMMONS REGISTRATION ACT 1965

Reference No. 262/U/430

In the Matter of Field No. OS 752 near Sellafield,
St Bridget, Beckermat

DECISION

This reference relates to the question of the ownership of land known as Field No. OS 752 near Sellafield, St Bridget Beckermat being the land comprised in the Land Section of Register Unit No. CL 409 in the Register of Common Land 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 the 7th Earl of Lonsdale 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 Whitehaven on 23 March 1982.

Spadling
Mr J H F ~~Blair~~ (of Counsel) instructed by Messrs Dickinson Dees, Solicitors of Newcastle upon Tyne appeared for the claimant.

I heard oral evidence from David Michael Senior Archivist in the Record Office at Carlisle, from John Russell Atkinson an applicant in the Rights Section and documents of title were produced to me which satisfied me that the claim was valid in that the register unit was waste land of the Manor of Calder.

On this evidence I am satisfied that the Right Honourable James Hugh William 7th Earl of Lonsdale is the owner of the land, and I shall accordingly direct the Cumberland 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 29th day of March 1982

George Heskin

Commons Commissioner