

COMMONS REGISTRATION ACT 1965



Reference No. 262/U/521

In the Matter of Foulshaw Salt Marsh, in the Parishes of Crosthwaite, **Lyth**, Witherslack, Meathop and Ulpha, South Lakeland D

DECISION NO.2

This reference relates to the question of the land described above being the land comprised in the Land Section of Register Unit No. CL 159 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 Mr R Long claimed to be the freehold owner of the land in question ("the Unit land") 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 9 July 1984. At a previous hearing held at Kendal on 21 April 1983 there was no claimant to ownership.

At the present hearing Mr R Hirst, Solicitor, appeared on behalf of Mr Long. Mr Hirst produced photocopies of title deeds which included the following:-

- (1) Conveyance dated 18/10/1965 - Personal representatives of the Earl of Woolton to F B Ford.
- (2) Conveyance dated 21/12/1971 - F B Ford to Mr and Mrs G H Robson.
- (3) Conveyance dated 14/11/1972 - Mr and Mrs G H Robson to Property Growth Assurance Co Ltd.
- (4) Conveyance dated 23/3/1976 - Property Growth Assurance Co Ltd to R J F Burrows and Marquess of Salisbury.
- (5) Appointment of new Trustee dated 3/8/1978 - Marquess of Salisbury (1) R J F Burrows (2) T J Burrows (3).
- (6) Conveyance dated 2/10/1979 - Marquess of Salisbury and T J Burrows to Richard Long.

On this evidence I am satisfied that Mr Richard Long is the owner of the Unit 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

31 July

1984

*L. J. Morris Smith*

Commons Commissioner