



COMMONS REGISTRATION ACT 1965

Reference No. 262/U/451

In the Matter of Holme Fell,
Sedbergh, Cumbria

DECISION

This reference relates to the question of the ownership of land known as Holme Fell, Sedbergh, being the land comprised in the Land Section of Register Unit No. CL 27 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 Trustees of G M Beck deceased and Mr H B Harrison Beck 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 Kendal on 30 March 1982.

At the hearing Mr Harrison Beck was represented by Mr J A Hesmondhalgh, Solicitor, and the Sedbergh Parish Council by Mr J P Lewis, one of its members.

Mr Lewis informed me that the Parish Council did not wish to claim the ownership of the land in question.

The land was conveyed to the late Mr G M Beck by an indenture made 14 August 1923 between (1) John Herbert Upton (2) Charles Walter Cottrell-Dorner, Algernon Henry Peter Strickland, and Cecil Rose Pugh (3) George Morland Beck. Mr G M Beck died on 28 June 1924 and the property passed down in the Beck family until 6 December 1977, when it was vested in Mr Harry Bradshaw Harrison Beck by a Vesting Assent made by Norman Haygarth Inman, the last surviving trustee of the settlement created by the will of Mr G M Beck.

On this evidence I am satisfied that Mr Harrison Beck 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

7th

day of

April

1982

Chief Commons Commissioner