



COMMONS REGISTRATION ACT 1965

Reference No. 20/U/77

In the Matter of land adjacent
to Colton School, Colton, South
Lakeland D., Cumbria

DECISION

This reference relates to the question of the ownership of land adjacent to Colton School, (now a Church Hall), Colton, South Lakeland District being the land comprised in the Land Section of Register Unit No. CL.74 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 no person claimed to be the freehold owner of the land in question and no 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 5 March 1975. At the hearing Colton Parish Council were represented by Miss A.C.F. Dobson their chairman and Colonel A.R.B. Dobson their vice-chairman.

Colonel Dobson described the land comprised in this Register Unit. It is a small strip containing (according to the Register) about 0.251 of a hectare (0.62 of an acre) being grass land with a metalled road zig-zag along it going up a steep hill and leading to the Church at the top. The School marked on the Register map and referred to in the Register is now a Church Hall. The Parish Council could offer no evidence of ownership.

In the absence of any evidence I am not satisfied that any person is the owner of the land, and it will therefore remain subject to protection under section 9 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 11th day of March 1975

a. a. Bustin Fuller

Commons Commissioner