



COMMONS REGISTRATION ACT 1965

Reference No. 262/U/129

In the Matter of Land at Petteril Bridge, Heskett  
Cumbria

DECISION

This reference relates to the question of the ownership of the land described above being the land comprised in the Land Section of Register Unit No. CL.129 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 Heskett Parish Council 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 Keswick on 9 October 1979.

Mr J Brinicombe, Clerk to the Parish Council, appeared on its behalf at the hearing. He gave evidence that the Parish Council's records showed an annual payment by the Council continuously since 1890 for the cutting and cleaning of the land. So far as he was aware no other person had claimed or attempted to interfere with the control of the land by the Council.

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

1979

Commons Commissioner