

COMMONS REGISTRATION ACT 1965



Reference No. 262/U/516

In the Matter of land known as Burthwaite
Wood, Bassenthwaite

DECISION

This reference relates to the question of the ownership of the land above mentioned being the land comprised in the Land Section of Register Unit No. CL 397 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 no person claimed to be the freehold owner of the land in question and no one 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 30 June 1982.

The application for registration of this land as Common Land was made by Bassenthwaite Parish Council on 4 December 1969 and it was entered on the Register on 13 March 1970. Mr G Pickering the present Clerk to that Parish Council produced a copy of a letter written in March 1971 withdrawing the application and receipt of this was acknowledged by the then registration authority. The authority stated that the registration would be cancelled.

In spite of this the register shows that the Entry being undisputed became final on 1 August 1972.

Mr T Greer who appeared on behalf of the present registration authority indicated that the registration would be cancelled as having been made through a clerical error. In that event the question of ownership does not arise and I have no jurisdiction to give a decision as to ownership.

Dated this

5th

day of

August

1982

George Hermeton

Commons Commissioner