



JW

COMMONS REGISTRATION ACT 1965

Reference No. 262/U/561

In the Matter of Little Calva, near Mosedale
under Skiddaw Allerdale D

DECISION

This reference relates to the question of the ownership of land described above being the land comprised in the Land Section of Register Unit No. CL.400 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 and Mrs W M Waugh claimed to be the freehold owners of the land in question ("the unit land"); 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 20 April 1983. At the hearing Mr S J Carr, Solicitor, appeared on behalf of the claimants.

Mr Carr produced a Conveyance on sale dated 4 February 1958 made between J S R Wyndham (1) J P Phillimore and others (2) William Martin Waugh (3) whereby property which included the unit land was conveyed to Mr Waugh. By a deed of gift dated 10 December 1973 Mr Waugh conveyed the same property to himself and his wife Katherine Mary Waugh.

On this evidence I am satisfied that Mr and Mrs Waugh are the owners of the unit land, and I shall accordingly direct the Cumbria County Council as registration ^{authority} to register them as the owners under section 8 (2) of the Act of 1965.

I am required by regulation 3C (2) 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

13th

day of

June

1983

L. J. Morris Smith
Commons Commissioner