



In the Matter of Martha's Well and Beck Bottom,  
Hayton

DECISION

This reference relates to the question of the ownership of the land comprised in the Land Section of Register Unit No. CL.190 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 J D and Mrs B A Maddison and Mr P Nootenboom 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 Carlisle on 22 July 1986.

At the hearing Mr and Mrs Maddison were represented by Mr A H B Holmes, Solicitor of Cartmell, Mawson and Main of Brampton, Hayton Parish Council were represented by Mr E Dunglinson and the Registration Authority by Mr T Greer.

The unit land consists of two small widely separated pieces of land in the village of Hayton. Mr Holmes produced a conveyance on sale dated 7 July 1959 between Allan Desmond Straker (1) and William Maddison (2) and a deed of gift between William Maddison (1) and John Dennis Maddison and Barbara Ann Maddison his wife (2) dealing with a small parcel of land which includes the whole of the eastern of the two areas contained in the register unit.

On this evidence I am satisfied that they are the owners of this land, and I shall accordingly direct the Cumbria County Council, as registration authority, to register John Dennis Maddison and Barbara Ann Maddison as the owners under section 8 (2) of the Act of 1965. I am not satisfied as to the ownership of the rest of the unit land and it will therefore remain subject to protection under section 9 of the Act of 1965.



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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 30<sup>th</sup> day of July 1986

*Peta Lamm-Davis*

Chief Commons Commissioner