



In the Matter of Newby Refuse Tip, near
Newby East, Irthington, Cumbria

DECISION

This reference relates to the question of the ownership of land known as Newby Refuse Tip, near Newby East, Irthington, being the land comprised in the Land Section of Register Unit No. CL 189 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 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 Carlisle on 6 February 1980. At the hearing the Irthington Parish Council was represented by Mr J G Dalton, its Chairman. Mr Dalton had no evidence as to the ownership of the land in question.

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

1980

Chief Commons Commissioner