



COMMONS REGISTRATION ACT 1965

Reference No. 262/U/66

In the Matter of Oughterby Green,
Kirkbampton, Cumbria

DECISION

This reference relates to the question of the ownership of land known as Oughterby Green, being the land comprised in the Land Section of Register Unit No. VG 30 in the Register of Town or Village Greens 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 Kirkbampton 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 Cockermouth on 23 May 1979.

The hearing was attended by Mr J Greer of the registration authority and Mr J W Hollid Chairman of the Parish Council. Mr Holliday stated that in 1973, fencing of the green was carried out by the County Council at the request of the Parish Council, which had since maintained the green.

On this evidence I am not satisfied that any person is the owner of the land, and I shall accordingly direct the Cumbria County Council, as registration authority, to register the Parish Council as the owner of the land under section 8(3) 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 18 July 1979

L J Morris Smith
Commons Commissioner