



COMMONS REGISTRATION ACT 1965

Reference No. 262/U/44

In the Matter of Pow Green, Cumbria

DECISION

This reference relates to the question of the ownership of land known as Pow Green, being the land comprised in the Land Section of Register Unit VG 103 in the Register of Town or Village Greens 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 Great Clifton 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.

A hearing for the purpose of inquiring into the question of the ownership of the land at Cockermouth on 22 May 1979.

Mr S Armstrong, the Vice Chairman of Great Clifton Parish Council, appeared on its behalf at the hearing. He had been a member of the Parish Council for some 25 years. About ten years ago the Council brought the piece of land up to a decent standard, with the aid of financial grants from the County Council and the owner of a nearby factory; and since then the Council had maintained it. He said that older members of the Village knew it to be parish land.

I am not satisfied that this evidence establishes ownership by the Council; in these circumstances I shall direct the Cumbria County Council, as registration authority, to register Great Clifton 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 this 18 July 1979

*L. J. Mansfield*

Commons Commissioner