



In the Matter of a Public Watering Place,
near Seascale How, Seascale

DECISION

This reference relates to the question of the ownership of land known as a Public Watering Place, near Seascale How, Seascale being the land comprised in the Land Section of Register Unit No. CL 311 in the Register of Common Land 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 Seascale 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 Whitehaven on 2 March 1982.

Mr R Smedley (a member) appeared on behalf of the Parish Council and produced evidence that in the Gosforth Enclosure Award of 1815 the land had been awarded as a Public Watering Place.

On this evidence I am satisfied that Seascale Parish Council is the owner of the land, and I shall accordingly direct the Cumbria County Council, as registration authority, to register Seascale Parish Council as the owner of the land under section 8(2) 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

16th

day of

June

1982

George H. Smith

Commons Commissioner