



COMMONS REGISTRATION ACT 1965

Reference No. 262/U/148

In the Matter of Quarry Ground, Gelt Woods,
near Brampton, Cumbria

DECISION

This reference relates to the question of the ownership of land known as Quarry Ground, Gelt Woods, near Brampton, being the land comprised in the Lard Section of Register Unit No. CL 163 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 5 February 1980.

At the hearing the Brampton Parish Council was represented by Mr H D Cross, its Clerk.

By the Brampton Inclosure Award made on 6 October 1778 the land in question was set aside for the common use and benefit of the lord or lords, lady or ladies of the manor of Brampton and other the landowners and tenants within the manor for getting stones.

This did not allot the land, but only gave a right to take stones. The ownership of the land would remain with whoever had it before the Award. Mr Cross said that he believed that the owner was the then Earl of Carlisle and that no one disputed the right of the present Earl to take game on the land. This, however, is not precise enough for me to be satisfied that the present Earl of Carlisle is the owner of the land.

On this evidence I can only say that 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

20th

day of

February

1980

Chief Commons Commissioner