



In the Matter of Scalerigg Gravel  
Pit and the road leading thereto,  
Kirkoswald, Cumbria

DECISION

This reference relates to the question of the ownership of land known as Scalerigg Gravel Pit and the Road leading thereto, Kirkoswald being the land comprised in the Land Section of Register Unit No. CL.141 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 the Trustees of J R Jackson deceased claimed to be the freehold owners 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 Penrith on 22 April 1980. At the hearing, the Trustees were represented by Mr D Mellor, Solicitor.

The land in question was conveyed to the late Mr Jackson by a conveyance made 29 September 1949 between (1) John Cowen Storey and Robert James Hogarth (2) John Reginald Jackson. Mr Jackson died on 30 December 1974 and his will was proved on 11 March 1975 by Nora Arnes Jackson and William Thomas Jackson.

On this evidence I am satisfied that Mrs M A Jackson and Mr W T Jackson are the owners of the land, and I shall accordingly direct the Cumbria County Council, as registration authority, to register them as the owners of the land under section 3 (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

16<sup>th</sup>

day of

May

1980

  
Chief Commons Commissioner