



COMMONS REGISTRATION ACT 1965

Reference No. 262/U/121

In the Matter of Scaur Bank,
near High Seaton, Cumbria

DECISION

This reference relates to the question of the ownership of land known as Scaur Bank being the land comprised in the Land Section of Register Unit No. CL 117 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 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 Cockermouth on 23 May 1979.

The hearing was attended by Mr J Greer of the registration authority and by Mr F J Hornsby, the Clerk to Seaton Parish Council.

This land is on a steep hill, down which water flows. The Parish Council has for a number of years maintained culverts and some small footbridges.

On this evidence 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 21 August 1979

L. J. Morris Smith

Commons Commissioner