



COMMONS REGISTRATION ACT 1965

Reference No. 262/U/551

In the Matter of School Green,  
Netherwasdale, Copeland B

DECISION

This reference relates to the question of the ownership of land described above being the land comprised in the Land Section of Register Unit No. VG 104 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 the National Trust claimed to be the freehold owner of the land in question ("the Unit land") 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 19 April 1983.

At the hearing the National Trust was represented by its Land Agent, Mr H F Devlin. Mr Devlin did not have available the documents of title on which the National Trust's claim is based, but these have since been produced to me. By a Conveyance and Release dated 28 September 1979 made between J G Phillimore and Another (1) the Commissioners of Inland Revenue (3) the National Trust, a large area of some 28000 acres was conveyed to the National Trust. This area included the Unit land except the part ("the eastern part") lying to the east of the School marked on the Register map.

On this evidence I am satisfied that the National Trust is the owner of the Unit land except the eastern part. I shall accordingly direct the Cumbria County Council, as registration authority, to register the National Trust as the owner of the Unit land excepting the eastern part under section 8(2) of the Act of 1965. As to the eastern part there is no Parish Council and I shall direct the County Council to register Copeland Borough Council as owner under section 8(3) of the Act.

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

13 June

1983

*L. J. Morris Smith*

Commons Commissioner

Scale 1:10,560 or 6 Inches to 1 Mile

Sheet NY 10 SW

160

80

CUMBERLAND

WHITEHAVEN CO CONST

ENNERDALE RD NETHER WASDALE PH

