

In the Matter of Slack, near Bramery, Ainstable,
Cumbria

DECISION

This reference relates to the question of the ownership of land known as Slack, near Bramery, Ainstable, being the land comprised in the Land Section of Register Unit No. CL 434 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 Ainstable Parish Council and Mr R Watson, Mr J R Watson and Miss J Watson 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 21 July 1982.

At the hearing Miss Watson appeared in person. There was no application on behalf of the Parish Council.

The land in question was conveyed by a conveyance made 28 January 1960 between (1) Reginald Charles Parkin (2) R C Parkin and Charles Parkin Whitehead (3) George Coldham Knight (4) Embley Investments Ltd (5) Robert Watson and John Watson. The vendor derived his title from a settlement made 31 December 1913 between (1) Hugh Dynely Goodyer Parkin (2) Alexander Foster, Robert Bush, and William Hingeston Whitehead.

Mr John Watson died on 15 November 1978, and by a deed of appointment made 16 March 1981 between (1) Robert Watson (2) Janet Watson and John Robert Watson Miss Watson and Mr J R Watson were appointed to be trustees with Mr R Watson in place of Mr J Watson.

On this evidence I am satisfied that Mr R Watson, Miss Watson, and Mr J R Watson are the owners of the land; and I shall accordingly direct the Cumbria County Council, as registration authority, to register them 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.

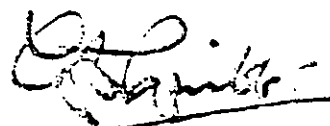
Dated this

11th

day of

October

1982



Chief Commons Commissioner