



COMMONS REGISTRATION ACT 1965

Reference No. 262/U/62

In the Matter of The Green, Langwathby
Cumbria

DECISION

This reference relates to the question of the ownership of land known as The Green, Langwathby being the land comprised in the Land Section of Register Unit No. VG.34 in the Register of Town or Village Greens 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 Langwathby Parish Council claimed to be the freehold owner 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 Keswick on 9 October 1979.

At the hearing Mr J B Holiday, Chairman of the Parish Council, appeared on its behalf. By an Inclosure Award dated 30 October 1850 there was awarded to the Churchwardens and Overseers of the Parish of Langwathby as a place of exercise and recreation for its inhabitants the village green numbered 88 on the plan accompanying the award. This appears to be the same green as VG.34. In more recent years the parish council has planted trees on it and erected a bus shelter and children's swings, and the children play football on the green. No claim, as far as Mr Holiday is aware, has been made to the green by any other person.

On this evidence I am satisfied that the parish council is the owner of the land, and I shall accordingly direct the Cumbria County Council, as registration authority, to register it 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

31 October

1979

Commons Commissioner