



In the Matter of the land known as Malls
Flow, Saltport

DECISION

This reference relates to the question of the ownership of land known as Malls Flow, Saltport being the land comprised in the Land Section of Register Unit No. CL 227 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 Lownethwaite Farm Ltd 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 Carlisle on 18 December 1981.

Mrs M C Baxter (Clerk) appeared for Saltport Parish Council which did not claim ownership of the land and Mr C M Wilson of Messrs Latimer, Hinks, Markham and Little, Solicitors of Darlington appeared for Lownethwaite Farms Ltd which claimed to be the owner of the land.

Mr Wilson produced two Conveyances made in 1961 and 1974 respectively which satisfied me that his client owned the land.

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

27th

day of

January

1982

George Harker

Commons Commissioner