



In the Matter of The Village Green, Dockray,
Matterdale, Cumbria.

DECISION

This reference relates to the question of the ownership of land known as The Village Green, Dockray, Matterdale being the land comprised in the Land Section of Register Unit No. CL 308 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 Matterdale 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 Penrith on 16 October 1981.

At the hearing the Parish Council was represented by Mr B Spurrett, its Clerk.

The land in question was fenced on three sides by the Parish Council before 1936 and it has since been kept in repair by the Council. The Council has also placed waste bins and a seat in commemoration of the Coronation on the land. On 5 September 1960 the Council granted a wayleave across the land to the North Western Electricity Board and has since received the annual payments for it.

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

2nd

day of

November

1981

Chief Commons Commissioner