



In the Matter of Town Head Watering Place,
Cliburn, Cumbria

DECISION

This reference relates to the question of the ownership of land known as Town Head Watering Place, Cliburn, being the land comprised in the Land Section of Register Unit No. CL 136 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 Earl of Lonsdale and his Settled Land Act Trustees 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 23 April 1980.

At the hearing Mr Fryer Spedding, of counsel, appeared on behalf of Lord Lonsdale.

The land comprised in the Register Unit is waste land in the technical sense of the term and is situate within the manor of Cliburn, the lordship of which was vested in Lord Lonsdale by a principal vesting deed made 27 January 1961 between (1) John Lamplugh Wickham and Adam Granville Gordon (commonly called Lord Adam Gordon) (2) James Hugh William, Earl of Lonsdale (3) Hon. Arthur James Beresford Lowther.

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

25

day of

June

1980


Chief Commons Commissioner