



JW

COMMONS REGISTRATION ACT 1965

Reference No. 262/U/568

In the Matter of Two small Recreation Allotments  
in Ellenborough Village, Allerdale D

DECISION

This reference relates to the question of the ownership of land described above being the land comprised in the Land Section of Register Unit No. VG.91 in the Register of Town or Village Greens 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 no person claimed to be the freehold owner of the land in question ("the unit land").

I held a hearing for the purpose of inquiring into the question of the ownership of the land at Keswick on 20 April 1983. At the hearing, Mr T Brown, a member of Maryport Town Council and Chairman of its Town Planning Committee, appeared. The Town Council did not claim ownership but it was considered that the unit land should be administered by the Town Council. This unit (VG.91) originally comprised two small recreational allotments but it now includes a third larger area which on the register unit map has the name of "The Green".

I was shown a copy of an Award made in 1849 and the map to which it referred, and it appears that the three pieces of land included in the unit land ~~was~~ were allotted to the Churchwardens and Overseers of the Township of Ellenborough as places of exercise and recreation for the local inhabitants. There is no Parish Council and it was not suggested that ownership was now vested in any statutory successor to the Churchwardens & Overseers. In these circumstances I am not satisfied that any person is the owner of the unit land, and I shall accordingly direct the Cumbria County Council, as registration authority, to register Allerdale District Council as the owner under section 8 (3) 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

7 July

1983

*L. J. Morris Smith*  
Commons Commissioner