



In the Matter of Bank End Moss, Angerton
and Broughton West, Cumbria

DECISION

This reference relates to the question of the ownership of land known as Bank End Moss, Angerton and Broughton West, being the land comprised in the Land Section of Register Unit No. CL. 85 in the Register of Common Land maintained by the former Lancashire 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 and no one 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 Kendal on 22 July 1980. At the hearing, Mr J W Curwen, the applicant for a registration in the Rights Section of the Register Unit, produced the map attached to particulars of an auction sale held in May 1902. Most of the land comprised in the Register Unit formed part of Lot No. 36 and a small strip not included in the sale was marked "Mr Wakefield". Mr Curwen said that he believed that Lot No. 36 was now the property of Mr Jackson of Bank Head and that Mr Wakefield's son or grandson was now living in Kendal.

This evidence is insufficient to enable me to say that I am satisfied that any person is the owner of the land, and it will therefore remain subject to protection under section 9 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

25th

day of

August

1980

Chief Commons Commissioner