



COMMONS REGISTRATION ACT 1965

Reference No 262/U/29

In the Matter of a recreation allotment
at Gamblesby, Glassonby, Eden District,
Cumbria

DECISION

This reference relates to the question of the ownership of land being a recreation allotment at Gamblesby, Glassonby, Eden District and being the land comprised in the Land Section of Register Unit No VG 85 in the Register of Town or Village Greens maintained by the Cumbria (formerly 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 The Commons, Open Spaces and Footpaths Preservation Society on whose application the registration was made, with a letter dated 30 March 1979 enclosed an extract from an award dated 23 March 1860 for the inclosure of Gamblesby Low Fell and Viol Moor in the township of Gamblesby in the parish of Addingham, and said that the land in this Register Unit comprises parcel number 66a (2 acres) in the Award allotted to the churchwardens and overseers of the poor of the said Township, and parcel number 66b (1 rood) awarded to the Minister and Churchwardens as a site for a school. No person 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 26 April 1979. There was no appearance at the hearing.

In the absence of any evidence I am not satisfied that any person is the owner of the land, and I shall accordingly direct the Cumbria County Council, as registration authority, to register Glassonby Parish Council as the owner of the land under Section 3(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 this 18th —

day of May — 1979

a. a. Baden Fuller

Commons Commissioner