



In the Matter of Cliburn Moss, Brougham and  
Cliburn, Cumbria

---

DECISION

This reference relates to the question of the ownership of land known as Cliburn Moss, Brougham and Cliburn, being the land comprised in the Land Section of Register Unit No. CL 116 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 Miss E A Horton claimed to be the freehold owner of the land in question and Mr J Scott 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 30 October 1980.

At the hearing Miss Horton and Mr Scott, who is the Clerk of the Cliburn Parish Meeting, appeared in person.

Miss Horton is the owner of an enclosure of land adjoining the land comprised in the Register Unit, but not of any land comprised in the Register Unit. Mr Scott's evidence related to certain allotments which were originally comprised in the Register Unit, but were subsequently removed from it.

In the absence of any further evidence I am not satisfied that any person is the owner of the land, and it will therefore remain subject of 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

17<sup>th</sup>

day of

November

1980

Chief Commons Commissioner