



COMMONS REGISTRATION ACT 1965

Reference No 262/U/98

In the Matter of Crossscanonby Village Green,  
Cumbria

DECISION

This reference relates to the question of the ownership of land known as Crossscanonby Village Green being the land comprised in the Land Section of Register Unit No VG 2 in the Register of Town or Village Greens maintained by the former 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 Crossscanonby Parish Council claimed to be the freehold owner of the land in question ("the Unit Land") and the Charity Commission 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 Cockermouth on 22 May 1979. The hearing was attended by Mr T Armstrong, the Chairman and Mr G L Whitehead, the Clerk to the Parish Council, and by Mr J Greer of the Registration Authority.

Mr Whitehead stated that the Parish Council has long considered that the Unit Land belonged to them - it has been used for grazing a pony, and children play on it. There was an affidavit sworn by Janet Crawshaw, an Officer of the Charity Commission, on 16 May 1979 referring to an Enclosure Award of 14 March 1853 in favour of the Churchwardens and Overseers of the Parish of Crossscanonby but it appeared that the part of the Award extracted referred not to the Unit Land, but to another Green - Crossby Village Green - in the Parish. On this 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 Crossscanonby Parish Council as the owner of the land 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 this 21<sup>st</sup> day of August 1979.

*L. J. Mans Smith*

Commons Commissioner