



In the Matter of Hilton Village Green,
Murton

DECISION

This reference relates to the question of the ownership of the land referred to above being the land comprised in the Land Section of Register Unit No. VG.6 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 the Murton Parish Council claimed to be the freehold owners 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 Keswick on 23 July 1986.

At the hearing the Murton Parish Council were represented by Mr Christopher John Dodgson, their clerk, and the Registration Authority were represented by Mr T Greer.

Mr Dodgson gave evidence that he had been clerk of the Murton Parish Council since 1962 and that, while they had no title deeds, since that time the Council had always treated the four pieces of land as owners.

He also produced an agreement dated 11 July 1937 whereby the Council consented in consideration of a rent to the placing by the Westmorland and District Electricity Supply Co Ltd of an overhead electric line over part of the land.

He also produced the minute book which recorded a number of other acts of ownership from 1943 onwards.

On this evidence I am satisfied that the Murton Parish Council are the owners of the land, and I shall accordingly direct the Cumbria County Council, as registration authority, to register them as the owners of the land under section 8 (2) 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 30th day of July 1986

Peter Landon-Davies
Chief Commons Commissioner