



COMMONS REGISTRATION ACT 1965

Reference No. 262/U/81

In the Matter of Land At Aiket Gate, Heskett
Cumbria

DECISION

This reference relates to the question of the ownership of land described above being the land comprised in the Land Section of Register Unit No. VG.46 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 Heskett Parish Council 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 Keswick on 9 October 1979. At the hearing Mr J Brinicombe, Clerk to the Parish Council, appeared on its behalf and gave evidence to the effect that the Parish Council had taken a yearly rent in the period 1960 to 1970 from a builder, who had been allowed by the Council to put up a shed on the land. The Council had also allowed a farmer to keep agricultural machinery on the land.

On this evidence I am satisfied that the Parish Council is the owner of the land, and I shall accordingly direct the Cumbria County Council, as registration authority, to register Heskett Parish Council as the owner 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

31

day of

October

1979

L J Morris Smith

Commons Commissioner