

In the Matter of Land South of Castlethwaite,  
Mallerstang, Cumbria.

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## DECISION

This reference relates to the question of the ownership of land south of Castlethwaite, Mallerstang, being the land comprised in the Land Section of Register Unit No. CL 169 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 both Mr J H Dixon and Mr E Hughes 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 16 October 1981.

At the hearing Mr Dixon was represented by Mr T A Hodges, solicitor, and Mr Hughes by Mr D Mellor, solicitor,

Both Mr Dixon and Mr Hughes own land in the vicinity of the land the subject of the reference, but inspection of their title deeds revealed that neither of them owns the land in question.

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 to 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.

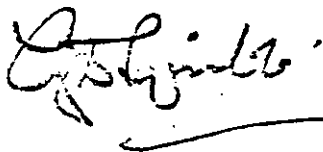
Dated this

2nd

day of

November

1981



Chief Commons Commissioner