



In the Matter of Linstock Green,
Stanwix, Cumbria.

DECISION

This dispute relates to the registration at Entry No 1 in the Land section of Register Unit No. VG 12 in the Register of Town or Village Greens maintained by the Cumbria County Council and is occasioned by Objection No. 19 made by Ms M J Smithson and noted in the Register on 2 October 1970.

I held a hearing for the purpose of inquiring into the dispute at Carlisle on 4 July 1979. The hearing was not attended by any person entitled to be heard.

The Objection purports to relate to part of the land comprised in the Register Unit, described as "the enclosed area in the centre of the Green". There is no plan attached to the Objection, but the Register Map, which is based on the 6" to the mile Ordnance Survey map, shows a building and its curtilage within the green verge line indicating the boundary of one of the two pieces of land comprised in the Register Unit. Unfortunately, the notice of the reference addressed to the Objector at the address stated in the Objection was returned marked "Gone Away".

In the absence of any explanation by the Stanwix Parish Council, the applicant for the registration, I have come to the conclusion that my proper course is to confirm the registration with the following modification: namely, the exclusion of the building and its curtilage from the southernmost of the two pieces of land comprised in the Register Unit.

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

18th

day of

July

1979

CHIEF COMMONS COMMISSIONER