



COMMONS REGISTRATION ACT 1965

Reference No. 262/U/91

In the Matter of Recreation Ground, Ousby
Cumbria

DECISION

This reference relates to the question of the ownership of land known as Recreation Ground, Ousby being the land comprised in the Land Section of Register Unit No. VG.15 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 Ousby Parish Council claimed to be the freehold owner of the land in question and Major J H C Sawrey-Cookson 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 P Braithwaite, Chairman of the Parish Council, appeared on its behalf. Mrs J H C Sawrey-Cookson appeared, but made no claim on behalf of herself or her husband.

Mr Braithwaite said that the land had been used as a recreation ground for over sixty years, and had been kept tidy by the Parish Council.

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 Ousby 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

31 October

1979

Commons Commissioner