



In the Matter of Skelton Village Green,
Skelton, Eden District, Cumbria

DECISION

This reference relates to the question of the ownership of land known as Skelton Village Green, Skelton, Eden District being the land comprised in the Land Section of Register Unit No VG 107 in the Register of Town or Village Greens maintained by the Cumbria (formerly 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 Lord Inglewood said (letter of 18 December 1978) that he owned a share in the Lordship of the Manor of Skelton and that in so far as the legal title to the village green was vested in the Lord of the Manor, he claimed to be interested. No other person claimed to be the freehold owner of the land in question or 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 26 April 1979. At the hearing Skelton Parish Council were represented by Mr W Wetherell, their clerk.

Mr Wetherell handed me a letter dated 26 March 1979 from Lord Inglewood in which he said he was not pressing any claim he might have as Lord of the Manor or part of the Manor of Skelton, being of the opinion that as a general rule village greens are best managed in the parish council. Mr Wetherell said (in effect):- the land is a triangular piece about 20 yards from base to apex. On it stands a bus shelter and the War Memorial to those who died in the last war; the rest is grass. The Parish Council have for the last 10 years at least maintained it and kept it in good condition. They have no deeds relating to it.

After some discussion, Mr Wetherell agreed that I should proceed under sub-section (3) of section 8 of the 1965 Act. In the absence of any 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 Skelton 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 this 21st — day of May 1979.

a. a. Bowen Fuller

Commons Commissioner