



In the Matter of The Beck, Bewcastle, Cumbria.

DECISION

This reference relates to the question of the ownership of land known as The Beck, Bewcastle, being the land comprised in the Land Section of Register Unit No. CL 305 in the Register of Common Land maintained by the Cumbria County Council of which no person is registered under section 4 of the Common Registration Act 1965 as the owner.

Following upon the public notice of this reference no person claimed to be the freehold owner of the land in question and no one claimed to have information as to its ownership.

I held a hearing for the purpose of inquiring into the ownership of the land at Cumbria on 20 July 1982.

At the hearing Mr W T Forrester the applicant for the registration in the Land Section of the Register Unit stated that he thought that the Forestry Commission owned at least some part of the land in question. Since there is no other person interested in the matter, I am able to proceed with the matter on documentary evidence furnished by the solicitor to the Forestry Commission.

The whole of the land in question was conveyed to the Minister of Land and Natural Resources acting in exercise of the powers of the Forestry Act 1945 by a conveyance made 25 February 1966 between (1) Charles Spencer Richard Graham (2) Eagle Star Insurance Company Ltd (3) The Minister of Land and Natural Resources. Mr Graham deduced his title from an assent made 30 December 1933 between (1) Sir Frederick Fergus Graham and Richard Preston Graham-Vivian (2) Sir F F Graham. The land was transferred to the Minister of Agriculture, Fisheries and Food by the Ministry of Land and Natural Resources (Dissolution) Order 1967 (S.I. 1967 No. 156).

On this evidence I am satisfied that the Minister of Agriculture, Fisheries and Food is the owner of the land, and I shall accordingly direct the Cumbria County Council, as registration authority, to register him 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

13th

day of

October

1982

Chief Commons Commissioner