



In the Matter of The Green, Beaumont, Cumbria.

DECISION

This reference relates to the question of the ownership of land known as The Green, Beaumont, being the land comprised in the Land Section of Register Unit No. VG 77 in the Register of Town or Village Greens 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 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 question of the ownership of the land at Carlisle on 4 July 1979.

At the hearing the Beaumont Parish Council was represented by Mr A R C Johnston, one of its members.

The Parish Council has maintained this land for many years by cutting the grass and also planted some trees in it in order to commemorate the Queen's Silver Jubilee. While the planting of the trees was a taking of possession of the land, such possession has not continued long enough for the Council to have acquired a possessory title, in my view, the mere cutting of grass does not constitute a taking of possession, since it is not an act adverse to the interests of the true owner.

There being no other 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 the Beaumont 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

18th

day of

July

1979.

CHIEF COMMONS COMMISSIONER