



In the Matter of The Parish Lot, Grayrigg,  
Cumbria

DECISION

This reference relates to the question of the ownership of land known as The Parish Lot, Grayrigg being the land comprised in the Land Section of Register Unit No. CL 126 in the Register of Common Land 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 the South Lakeland District Council claimed to be the freehold owner of the land in question and no other person 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 Kendal on 23 July 1980.

At the hearing the District Council was represented by Mr A Crossley, its legal executive, and the Grayrigg Parish Meeting by Mr R Bindloss, its Chairman.

The land the subject of the reference was set out, allotted, and awarded to the Surveyors of the Highways of the township of Grayrigg to be appropriated and used as a public quarry for supplying stone, gravel, and sand for the repairs of the roads and ways within the township and also the buildings, walls, and fences upon the ancient lands in respect of which allotments were made and also for the allotments awarded by the Grayrigg Inclosure Award dated 14 May 1868.

The land was transferred to the former South Westmorland Rural District Council by sections 25 and 67 of the Local Government Act 1894. It was not transferred to the County Council under section 118 of the Local Government Act 1929, and it became parish property by virtue of section 305 of the Local Government Act 1933. Finally, it was transferred to the District Council on 1 April 1974 under the Local Government Act 1972.

On this evidence I am satisfied that the District Council is the owner of the land, and I shall accordingly direct the Cumbria County Council, as registration authority, to register the District Council as the owner of the land under section 6(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

25<sup>th</sup>

day of

August

1980

*E. J. L. L. L.*

Chief Commons Commissioner