



COMMONS REGISTRATION ACT 1965

Reference No. 262/J/68

In the Matter of Threapland Green, CumbriaDECISION

This reference relates to the question of the ownership of land known as Threapland Green being the land comprised in the Land Section of Register Unit No. VG.27 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 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 Cockermouth on 24 May 1979.

The hearing was attended by Mr J Greer, of the registration authority, Mr A Penn Chairman, Mr H Scott a member and Mr L C Gardner the Clerk of Bothel and Threapland Parish Council. Mr Scott, giving evidence, said that he had known the green for 60 years, it is an open piece of land which no one has claimed, and has been used for cattle to go on and by children playing.

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 the parish council as the owner of the land under section 8 (5) 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 August 1979

L. J. Harris Smith
Commons Commissioner