



COMMONS REGISTRATION ACT 1965

Reference No. 262/U/69

In the Matter of Angel Well (Field 359)
Bothel Cumbria

DECISION

This reference relates to the question of the ownership of land known as Angel Well being the land comprised in the Land Section of Register Unit No.VG.26 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 the Chairman, Mr H Scott a member, and Mr L C Gardner Clerk of Bothel and Threapland Parish Council. Mr Gardner stated that the land is an open piece of land on which is a disused well.

In the absence of evidence as to ownership 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 (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 18 July 1979

L. J. Morris Smith

Commons Commissioner