



COMMONS REGISTRATION ACT 1965

Reference No.11/U/1

In the Matter of the Village Green,
Whitton, Stockton R.D., Durham

DECISION

This reference relates to the question of the ownership of land known as the Village Green, Whitton, Stockton Rural District being the land comprised in the Land Section of Register Unit No.V.G.47 in the Register of Town or Village Greens maintained by the Durham 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 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 Durham on 7 November 1972.

The hearing was attended by the Stockton Rural District Council and the Whitton Parish Council who both were represented by Mr. J. R. Tate who is the clerk of the Rural District Council.

Mr. Tate said that the Parish Council had been in control of this land since 1964 but he was not offering any evidence because the Parish Council did not claim that such control was sufficient to establish ownership. He submitted that subsection (3) of section 8 of the Act was applicable.

In the absence of evidence I am not satisfied that any person is the owner of the land, and I shall accordingly direct the Durham County Council as registration authority, to register Whitton Parish Council as the owner of the land under section 8(3) of the Act.

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 November 1972

a. a. Baden Fuller.

Commons Commissioner