



COMMONS REGISTRATION ACT 1965

Reference No. 211/U/34

In the Matter of East Butsfield Quarry,
Lanchester, Co. Durham

DECISION

This reference relates to the question of the ownership of land known as East Butsfield Quarry, Lanchester, being the land comprised in the Land Section of Register Unit No. CL 55 in the Register of Common Land 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 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 Durham on 3 July 1980.

At the hearing I gave leave to Mr A J Davison, an articled clerk with Messrs Swinburne and Jackson, Solicitors, to appear on behalf of Mr J Butters.

The land the subject of the reference was conveyed to Mr Butters by a conveyance made 28 April 1977 between (1) George Thomas Walker and Doreen Walker (2) Ian Butters. It appears from two statutory declarations that the vendors had a possessory title to the land, which had been in the possession of members of the Walker family since 1932.

On this evidence I am satisfied that Mr Butters is the owner of the land, and I shall accordingly direct the Durham County Council, as registration authority, to register him as the owner of the land under section 3(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

21st

day of

July

1980

Chief Commons Commissioner