



COMMON REGISTRATION ACT 1965

Reference No. 211/U/104

In the Matter of East Common in the
parishes of (1) Woodland and
(2) Lynesack and Softley, Teesdale
District, Durham

DECISION

This reference relates to the question of the ownership of part ("The Referred Part") hereinafter defined of the land known as East Common in the parishes of (1) Woodland and (2) Lynesack and Softley, being the land comprised in the Land Section of Register Unit No. CL34 in the Register of Common Land maintained by the Durham County Council. The land in this Register Unit contains about 0.85 of an acre. Of the part of it lying within the parish of Lynesack and Softley northeast of the line AB on the Register Map (about 1/16th of the whole), Lynesack and Softley Parish Council are at Entry No. 1 in the Ownership Section registered as the owners, and such registration being undisputed has become final. The Referred Part means the part which is southwest of the said line AB and 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 Referred Part 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 Referred Part at Durham on 5 February 1986. There was no appearance at the hearing. In the absence of any evidence I am not satisfied that any person is the owner of the Referred Part, and it will therefore remain subject to protection under Section 9 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 19th — day of February — 1986

A. A. Baden Fuller

Commons Commissioner