

COMMONS REGISTRATION ACT  
1965



Reference No. 211/U/85

In the Matter of Flass Vale, City of Durham,  
Co. Durham

DECISION

This reference relates to the question of the ownership of the land known as Flass Vale, City of Durham, being the part of the land comprised in the Land Section of Register Unit No. CL.86 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 or under the Land Registration Acts 1925 to 1966 as the owner.

Following upon the public notice of this reference Mrs M Walton and the Council of the City of Durham claimed to be the freehold owners of parts of the land in question and no other 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 6 March 1985. At the hearing Mrs Walton appeared in person, the City of Durham Trust was represented by Mr K R Ashley, one of the trustees, and the Council of the City of Durham by Mr P R Broome, the City Solicitor.

Mr Ashley informed me that the Trust was not claiming to be the owner of any of the land in question, while the parts of the register unit in the ownership of the City Council are not the subject of the reference because they are registered under the Land Registration Acts 1925 to 1966.

The land which is the subject of the reference was conveyed to Mrs Walton and her late husband by a Conveyance made 21st July 1947 between (1) The Ecclesiastical Commissioners for England (2) John William Walton and Maud Walton. Mr Walton's interest in the land was conveyed to Mrs Walton by a Conveyance made 3 April 1965 between (1) J W Walton (2) M Walton.

On this evidence I am satisfied that Mrs Walton is the owner of the land, and I shall accordingly direct the Durham County Council as registration authority, to register her as the owner of the land under section 8 (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

15<sup>th</sup>

day of

March

1985

*E. J. Quirk*  
Chief Commons Commissioner