



COMMONS REGISTRATION ACT 1965

Reference No. 211/D/78

In the Matter of Gilegate Green and Duck
Pond, City of Durham, Co. Durham

DECISION

This dispute relates to the registration at Entry No. 1 in the Land Section of Register Unit No. VG 109 in the Register of Town or Village Greens maintained by the Durham County Council and is occasioned by Objection No. 26 made by the former City of Durham Council and noted in the Register on 26 November 1970.

I held a hearing for the purpose of inquiring into the dispute at Durham on 2 July 1980. The hearing was attended by Mr P Clayden, Solicitor, on behalf of Miss M Johnson, the applicant for the registration, and by Mr P A Broome, Solicitor, on behalf of the Durham City Council, the successor authority of the Objector.

Parts of the land comprised in the Register Unit lie on the north side of the street called Gilesgate, and the other parts lie on the south side of the street.

There was some evidence of use of the land on the south side of the street for sports and pastimes. Mr Broome said that the Objection really related to the land on the north side of the street and that he did not particularly oppose the registration of the land on the south side.

In these circumstances I confirm the registration with the following modification, namely, the exclusion of the land on the north side of Gilesgate.

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