



COMMONS REGISTRATION ACT 1965

Reference No. 211/U/80

In the Matter of Howl Quarry, Jaw Blades,
Lanchester B. Durham

DECISION

This reference relates to the question of the ownership of land known as Howl Quarry, Jaw Blades, Lanchester, being the land comprised in the Land Section of Register Unit No. CL 56 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 the Church Commissioners for England claimed to be the freehold owner 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 3 July 1980.

At the hearing the Church Commissioners were represented by Mr Christopher Lewsley, of Counsel.

The land the subject of the reference consists of two areas described on the map referred to in the Lanchester Inclosure Award, dated 13 June 1781, made under the Lanchester Inclosure Act of 1773 (13 Geo. III, c. 67 (private)) as Burnop Howl East Quarry and Burnop Howl West Quarry, together with the roadway dividing them. The two quarries were set out by the Commissioners as common quarries, but the freehold was not allotted to anyone. The soil of the quarries and the road therefore remained vested in the lord of the manor, who was then the Bishop of Durham. The estates formerly belonging to the See of Durham are now by statute vested in the Church Commissioners for England.

On this evidence I am satisfied that the Church Commissioners are the owners of the land, and I shall accordingly direct the Durham County Council, as registration authority, to register them 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

24th

day of

July

1980

Chief Commons Commissioner