



COMMONS REGISTRATION ACT 1965

Reference No. 211/U/56

In the Matter of Stony Carr Common,  
Redgate, Wolsingham, Co-Durham

DECISION

This reference relates to the question of the ownership of land known as Stony Carr Common, Redgate, Wolsingham, being the land comprised in the Land Section of Register Unit No. CL 31 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 10 October 1980.

At the hearing the Wolsingham Parish Council was presented by Mr G S Hindmarsh, its Clerk.

In 1951 Mr Hindmarsh asked someone to remove a fence which had been erected on the land, and this was done. From time to time the Parish Council has allowed access across the land to other land for the purposes of a motor-cycle scramble and also allowed spectators on the land to watch the event. Payment for this was offered, but not accepted. The Parish Council has not taken any other action in relation to the land.

This evidence is insufficient to enable me to find that the Parish Council has acquired a possessory title to the land.

In the absence of any other evidence I am not satisfied that any person is the owner of the land, 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 22nd day of October 1980

Chief Commons Commissioner