



COMMONS REGISTRATION ACT 1965

Reference No. 211/U/64

In the Matter of The Batts, Bishop Auckland,  
Wear Valley Co. Durham

DECISION

This reference relates to the question of the ownership of land known as The Batts, Bishop Auckland, being the land comprised in the Land Section of Register Unit No. VG.111 in the Register of Town or Village Greens 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 15 March 1982. At the hearing the Wear Valley District Council was represented by Mr N L McNamee, Solicitor.

In 1964 the former Bishop Auckland Urban District Council wished to acquire the land in question for the provision of public walks under the Public Health Act 1875. The land being unoccupied and the Council having been unable to find the owner after diligent search and inquiry for him, on 13 July 1964 the Council applied to the Lands Tribunal to have the purchase money or compensation determined. This was determined to be £285, and on 15 May 1969 the Council paid that sum into court in the manner required by the Lands Clauses Consolidation Act 1845. Finally, the Council executed a vesting deed on 24 September 1969.

The land was transferred to the Wear Valley District Council by the Local Authorities (England) (Property etc) Order 1973 (S.I.1973 No. 1861)

On this evidence I am satisfied that the Wear Valley District Council is the owner of the land, and I shall accordingly direct the Durham County Council, as registration authority, to register the District Council 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.

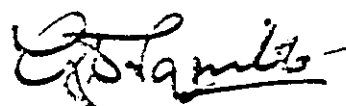
Dated this

7<sup>th</sup>

day of

April

1982

  
Chief Commons Commissioner