



COMMONS REGISTRATION ACT 1965

Reference Nos 227/U/40
227/U/41
227/U/42
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227/U/45

In the Matter of (1) Carrstones Quarry,
(2) Cubstocks Quarry, (3) West End Grindon
Hill Quarry (4) Eshtons Quarry, (5) Chesterwood
Quarry and (6) Lanceys Rigg Quarry all in
Haydons Bridge, Tynedale District, Northumberland

DECISION

These references relate to the question of the ownership of lands known as (1) Carrstones Quarry, (2) Cubstocks Quarry, (3) West End Grindon Hill Quarry, (4) Eshtons Quarry, (5) Chesterwood Quarry, and (6) Lanceys Rigg Quarry, all in Haydons Bridge, Tynedale District being the lands comprised in the Land Section of Register Unit No (1) CL. 98 (2) CL. 99, (3) CL. 100, (4) CL. 101, (5) CL. 103 and (6) CL. 104 respectively in the Register of Common Land maintained by the Northumberland 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 Mrs M E Wardle claimed that the CL. 98 land was owned by the Trustees of the late Mr G J Wardle as part of the freehold of Brokenheugh Farm and that the CL. 103 land was included in the freehold of Chesterwood Farm owned by herself. No other person claimed to be the freehold owner of the lands in question or to have information as to their ownership.

I held a hearing for the purpose of inquiring into the question of the ownership of the lands at Hexham on 9 March 1977. The hearing was attended by Mrs Wardle in person and also by Mr A Slater of William Armstrong & Sons, Chartered Surveyors of Newcastle upon Tyne as representing the Greenwich Hospital Estate.

Mrs Wardle in the course of her evidence produced the title deeds to Brokenheugh Farm including a conveyance dated 24 May 1922 of this farm to her father in law Mr Jasper Anderson Wardle. The plan attached to this conveyance had on it the words Carrstones Quarries apparently referring to the land thereon numbered 176, being land to the northeast of the land edged green on the Register map and marked thereon CL. 98; of plot no 176, she said she remembered a quarry in the west corner of it; it has since been planted; the rest of the plot is grazing. Of the plot edged green on the Register map she said it is now grassed over, but it is very unlevel and on it there is the remains of a lime kiln, and so she presumed that the heaps were burnt limestone; she thought it was part of East Mill Hills Farm which belongs to the Catholic Trust. Mrs Wardle also produced the title deeds to Chesterwood Farm. After some discussion she agreed that neither the CL. 103 land nor any of the other Quarries with which I am now concerned form any part of this farm or of Brokenheugh Farm.



Mr Slater called attention to the note on the Register of all these Register Units of an application of Greenwich Hospital Estate Office for Rights and Interests reserved under the Grindon Common Inclosure Act 1792 and the Award dated 21 December 1797, and said that these rights and interests related to minerals; the Hospital Estate did not claim the surface. He said he had seen a map which showed the Quarries with which I am now dealing as having been allotted by the 1797 Award.

On the Register map the words "Carrstones Quarries" appear outside and to the north-west of the land edged green; however the words could have been intended by the cartographer to refer to the land edged green, and in this decision I shall assume that the land registered as Register Unit No CL. 98 is the land edged green, and that it therefore follows that Mrs Wardle has no claim to it.

So at the end of the hearing I had no ownership evidence relevant to any of these lands. In the absence of any evidence I am not satisfied that any person is the owner of the lands and they will therefore be 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 15th day of March — 1977

a. a. Baiter Fuller

Commons Commissioner