



COMMONS REGISTRATION ACT 1965

Reference No.27/U/3

In the Matter of Rough Haugh,Heddon-on-the-WallNorthumberlandDECISION

This reference relates to the question of the ownership of land known as Rough Haugh, Heddon-on-the-Wall, being the land comprised in the Land Section of Register Unit No.V.G.33 in the Register of Town or Village Greens 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 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 Hexham on 17th July 1973.

At the hearing Mr. J.S. Stephenson, solicitor, for the executors named in the will of Miss Janie Annie Kirton, produced a conveyance of the land in question from the Jarrow Dredging and Salvage Company Ltd in voluntary liquidation to Miss Kirton dated 7th February 1968. Mr. Stephenson also produced a statutory declaration by one Henry Kirton, a director of the Jarrow Dredging and Salvage Company Ltd, dated 3rd July 1960, stating that the conveyance of this land to the Company dated 13th May 1924 could not then be found. A photostat copy of the 1924 conveyance was exhibited to Mr. Kirton's statutory declaration.

At the date of the hearing Miss Kirton's will had not been proved. Mr. Stephenson has since sent to the Clerk of the Commons Commissioners an office copy of the probate dated 13th August 1973 granted to Lloyds Bank Ltd.

On this evidence I am satisfied that the Personal Representatives of Miss Kirton are the owners of the land, and I shall accordingly direct the Northumberland County Council, as registration authority, to register the Personal Representatives as the owners 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 18th day of September 1973


Chief Commons Commissioner