



In the Matter of The Village Green and
Common, Kirkwhelpington,
Northumberland

DECISION

This reference relates to the question of the ownership of land known as The Village Green and Common, Kirkwhelpington, being the land comprised in the Land Section of Register Unit No. VG 41 in the Register of Town or Village Greens maintained by the ~~County~~ 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, but the Kirkwhelpington Parish Council informed the Clerk of the Commons Commissioners by letter that the land was owned by the Alwick Estate and that the Parish Council paid a yearly rent for it as a play area.

I held a hearing for the purpose of inquiring into the question of the ownership of the land at Hexham on 27 October 1981, and at Golden Cross House, London, WC2 on 24 November 1981.

At the hearing the Duke of Northumberland was represented by Mr M J Pitt, Solicitor.

The land in question was included in the parcels of a vesting deed made 15 June 1926 between (1) Edward George Percy, Baron Hetherton, Charles William Sydney, Earl Manvers, and Edward Frederick Lindley, Baron Irwin (2) Alan Ian, 8th Duke of Northumberland. The land was vested in Henry George Alan, 9th Duke of Northumberland by a vesting deed made 15 July 1933 and in Hugh Algernon, 10th and present Duke of Northumberland by a vesting deed made 1 April 1950.

On this evidence I am satisfied that the present Duke of Northumberland is the owner of the land, and I shall accordingly direct the Northumberland County Council, as registration authority, to register him 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

14th

day of

December

1981

Chief Commons Commissioner