



In the Matter of Coal Burns, Ryton, Gateshead
Metropolitan B

DECISION

This reference relates to the question of the ownership of land described above being the land comprised in the Land Section of Register Unit No. CL 100 in the Register of Common Land maintained by the former 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 Gateshead Metropolitan Borough Council ("Gateshead") claimed to be the freehold owner of the land in question ("the Unit land") and no other person 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 Unit land at Newcastle Upon Tyne on 19 October 1983.

At the hearing Mr R T Harrison, Legal Executive, of Gateshead appeared on its behalf.

The Unit land was the subject of a Deed of Gift dated 4 June 1948 whereby it was conveyed by Stella Coal Company Ltd. to Ryton Urban District Council, to which Gateshead is the successor authority. Mr Harrison told me it was used as a recreation and amenity area.

On this evidence I am satisfied that Gateshead is the owner of the Unit land, and I shall accordingly direct the Tyne and Wear County Council, as registration authority, to register it 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

3 November

1983

L. J. Morris Smith

Commons Commissioner