



In the Matter of Pond Site, Greenside, Gateshead,
Metropolitan B

DECISION

This reference relates to the question of the ownership of land described above being the part of the land comprised in the Land Section of Register Unit No. CL 89 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 and which is not registered freehold under the Land Registration Acts.

Following upon the public notice of this reference Gateshead Metropolitan Borough Council ("Gateshead") claimed to be the freehold owner of the land in question 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 land at Newcastle Upon Tyne on 18 October 1983.

At the hearing Gateshead was represented by Mr R T Harrison, Legal Executive.

Some small sections of CL 89 are registered with freehold title under the Land Registration Acts. As to the remainder ("the land in question"), by a Conveyance dated 4 March 1963 this was conveyed by the National Coal Board to Ryton Urban District Council, to which Gateshead is the successor authority.

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