



In the Matter of West Dene, 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 101 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 Gateshead was represented by Mr R T Harrison, Legal Executive in its employ.

Mr Harrison produced a Deed dated 11 August 1921 whereby William Lamb conveyed the Unit land by way of gift to Ryton Urban District Council, to which Gateshead is successor authority. The land is a general 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 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. Mans Smith
Commons Commissioner