

COMMONS REGISTRATION ACT
1965



Reference No. 211/U/95

In the Matter of Greenside, Waskerley,
Muggleswick and Healeyfield, Co. Durham

DECISION

This reference relates to the question of the ownership of land known as Greenside, Waskerley, Muggleswick and Healeyfield, being the land comprised in the Land Section of Register Unit No. CL.110 in the Register of Common Land maintained by the 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 Mr T Vivers, Mrs M Vivers, Mr D Vivers, and Mrs D F Vivers claimed to be the freehold owners 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 Durham on 7 March 1985. At the hearing all the claimants were represented by Mr John Winch, of Counsel.

The land the subject of the reference was included in the parcels of a Conveyance made 4 March 1966 between (1) The Church Commissioners for England (2) Arthur James Robert Collins, David Alexander Gray and Richard Oliver Stanley. Mr Gray retired by a deed of retirement made 7 April 1975 and was replaced by Mr David Michael Dixon by a deed of appointment made 11 December 1978. The land in question was conveyed to the claimants by a Conveyance made 12 February 1982 between (1) Sir Arthur J R Collins, R O Stanley and D M Dixon (2) Majorgold (an unlimited Company) (3) Thomas Vivers and Mary Vivers his wife and David Vivers and Diana Fayle Vivers his wife.

On this evidence I am satisfied that Mr and Mrs T Vivers and Mr and Mrs D Vivers are the owners of the land, and I shall accordingly direct the Durham County Council, as registration authority, to register them 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

15th

day of

March

1985

[Handwritten signature]

Chief Commons Commissioner