



COMMONS REGISTRATION ACT 1965

Reference No.27/U/67

In the Matter of Low Common,
Acomb, Northumberland.

DECISION

This reference relates to the question of the ownership of land known as Low Common, Acomb, being the land comprised in the Land Section of Register Unit No.C.L.8 in the Register of Common Land maintained by the 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 and no one 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 Hexham on 17th July 1973.

At the hearing the Acomb Parish Council was represented by Mr.G.E.Rutherford, one of its members. Mr.Rutherford, who has known the land the subject of this reference for nearly 60 years, told me that about 35 years ago the Parish Council put down some bore-holes in the land when prospecting for water, and that about 30 years ago the Council erected a fence to stop rubbish being dumped on the land. The fence is still there, though somewhat out of repair. The land is now overgrown and the Council has left it untended.

On this evidence I find myself unable to find that the Parish Council has a possessory title to the land.

In the absence of any other evidence I am not satisfied that any person is the owner of the land and it will therefore remain subject to protection under section 9 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 31st day of July 1973


Chief Commons Commissioner