

COMMONS REGISTRATION ACT 1965



Reference No. 266/U/6

In the Matter of Barmoor Quarry, 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.95 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 18 October 1983. Mr R T Harrison, Legal Executive, appeared at the hearing on behalf of Gateshead.

By a Conveyance dated 7 February 1938 there was conveyed to Ryton Urban District Council (of which Gateshead is successor authority) land which included the unit land, the Vendors being Stella Coal Company Ltd.

On this evidence I am satisfied that Gateshead is the owner of the 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. Morris Smith
Commons Commissioner