



In the Matter of Holburn Dene, Ryton
~~Gateshead Municipal 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 102 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 ~~Municipal~~ ^{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.

The Unit land is physically, a composite area but was acquired by Ryton Urban District Council (of which Gateshead is successor authority) by two separate transactions: in the first, the larger part was acquired in 1950 when it was conveyed by Alexander Thompson by a Conveyance dated 27 April 1950. The remaining part was conveyed to Ryton UDC in 1960, the Conveyance by Charles Bisset being dated 7 November 1960.

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 27 October 1983

L. J. Morris Smith

Commons Commissioner