



COMMONS REGISTRATION ACT 1965

Reference No. 266/U/8

In the Matter of Lane Head, 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.97 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. At the hearing Mr R T Harrison, Legal Executive, appeared on behalf of Gateshead.

The unit land is a small triangular piece of land at the junction of Northumberland Road and Whitewell Lane. Gateshead is the successor authority to Ryton Urban District Council, ("Ryton") and by an Agreement dated 11 October 1930 with Durham County Council a strip of the unit land at its southern end was dedicated by Ryton for highway purposes. Mr Harrison told me that from the records available it appears that the remainder of the unit land was maintained by Ryton for at least 15 years prior to the Local Government reorganisation in 1974, since when it has continued to be maintained by Gateshead.

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 3 (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