



In the Matter of Paygate Cross Roads 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.92 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 Tyne and Wear County Council 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 Mc Donald, Solicitor, of the County Council appeared on its behalf.

The Unit Land consists of two separate sections. By a Conveyance dated 23 February 1933 made between (1) the Rev R Taylerson & Others (2) the Bishop of Hexham and Others (3) Durham County Council, the Western section was conveyed pursuant to an order of the Charity Commissioners to Durham County Council. The Eastern ^{section} was comprised in a conveyance to Durham County Council dated 13 August 1951, the Vendors being West Ryton and Crawcrook District Social Club. Tyne and Wear County Council is successor authority to Durham County Council and on the evidence I am satisfied that it is the owner of the land, and I shall accordingly direct the Tyne and Wear County Council, as registration authority, ~~to register Tyne and Wear County Council, as registration authority,~~ to register itself 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 this 3rd day of November 1983

L. J. Morris Smith
Chairman Commons Commissioner