



COMMONS REGISTRATION ACT 1965

Reference No 27/U/16

In the Matter of Walbottle Village Green,  
Newburn Urban District, Northumberland

DECISION

This reference relates to the question of the ownership of land known as Walbottle Village Green, Newburn Urban District, being the land comprised in the Land Section of Register Unit No VG.16 in the Register of Town or Village Greens 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 Newburn Urban District Council claimed to be the freehold owner of the land in question 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 land at Newcastle upon Tyne on 4 April 1973. The hearing was attended by Newburn Urban District Council who were represented by Mr J R Gibbings, their deputy clerk.

Mr Gibbings in the course of his evidence produced a conveyance dated 8 August 1960 by which the most noble H A Duke of Northumberland with the concurrence of his Trustees conveyed to the Council land ("the Assured Land") containing 12.898 acres and an agreement dated 14 May 1913 by which the most noble H G Duke of Northumberland and the Hon A I Percy (Earl Percy) agreed with the Council (among other things) not to oppose a Scheme being made under the Commons Act 1899 in accordance with a draft which was attached. Mr Gibbings said:- The land ("the Unit Land") comprised in this Register Unit contains just over one acre and is the same as that comprised in the Assured Land and on the plan annexed to the conveyance called "THE GREEN". The other land so comprised (except an old quarry on the north east) has been cleared so far as necessary of old buildings and redeveloped for housing. A scheme relating to the Unit Land was made under the 1899 Act as contemplated by the 1913 agreement: the management was thereby vested in the Council. The Unit Land is an open piece of grass land and a village amenity: the Council cut the grass. There is a seat there erected by the Council.

On the evidence outlined above I am satisfied that the Council is the owner of the Unit Land, and I shall accordingly direct the Northumberland County Council, as registration authority, to register Newburn Urban District Council as the owner of the land 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 11<sup>th</sup> day of April 1973

a. a. Baden Fuller

Commons Commissioner