

COMMONS REGISTRATION ACT 1965

Reference No. 211/81

In the Matter of Cockfield Fell, Cockfield,
Co. Durham

DECEMBER

This reference relates to the question of the ownership of land known as Cockfield Fell, Cockfield, being the land comprised in the Land Section of Register Unit No. CL 8 in the Register of Common Land maintained by the 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 the Cockfield Fell Reeves 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 Durham on 15 March 1982.

At the hearing the Fell Reeves were represented by Mr Spencer Morris, of Counsel.

The land the subject of the reference was directed to be used as a regulated pasture by a provisional order confirmed by the Second Annual Inclosure Act 1863. The property in the soil became vested in the owners of the stints, of whom there are now seventy-four, registered in the Rights section of the Register Unit, by section 116 of the Inclosure Act 1845, and then by virtue of paragraph 2 of Part V of the First Schedule to the Law of Property Act 1925 it became vested in the Public Trustee.

On this evidence I am satisfied that the Public Trustee is the owner of the land, and I shall accordingly direct the Durham County Council, as registration authority to register him 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.

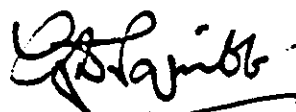
Dated this

5th

day of

April

1982



Chief Commons Commissioner