

COMMONS REGISTRATION ACT 1965



Reference No. 211/U/45

In the Matter of Fishburn Village Green,  
Sedgefield D

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DECISION

This reference relates to the question of the ownership of the land described above being the land comprised in the Land Section of Register Unit No. VG 99 in the Register of Town or Village Greens maintained by the 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 Fishburn Parish 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 Darlington on 24 July 1980.

At the hearing Mr J Crowden, Solicitor, appeared on behalf of the Parish Council. Mr J Grady, who has lived in the village for 22 years and has been Clerk to the Parish Council for six years, gave evidence. During the time that he has lived in the village, the Green has been maintained by the Parish Council and the grass has been cut at a yearly expenditure of £150, and £700 was spent on the erection of bollards to stop parking. There have been no adverse claims.

On this evidence I am satisfied that the Parish Council is the owner of the land, and I shall accordingly direct the Durham County Council, as registration authority, to register Fishburn Parish 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 15 September

1980

*L. J. Morris Smith*

Commons Commissioner