



COMMONS REGISTRATION ACT 1965

Reference No.27/U/34

In the Matter of Dean Craggs Freestone Quarry,
and access thereto, Henshaw, Northumberland.

DECISION

This reference relates to the question of the ownership of land known as Dean Craggs Freestone Quarry and access thereto, Henshaw, being the land comprised in the Land Section of Register Unit No.C.L.61 in the Register of Common Land 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 no person claimed to be the freehold owner of the land in question and no one 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 Hexham on 18th July 1973.

The land the subject of this reference consists of a rectangular area known as Dean Craggs Freestone Quarry and an access to it from a road to the east. At the hearing the Henshaw Parish Council was represented by its Chairman, Mr. D. Reay. Mr. Reay informed me that the Parish Council was not claiming the ownership of the land, but Mr. J.M. Clark, surveyor, who was concerned in other cases in the day's list, informed me that he might be able to produce some information regarding the ownership. Since the hearing Messrs. Richmonds, solicitors for Mr. John Wright Gavin Challoner, have satisfied me that the rectangular area (but not the access to it) was vested in Mr. Challoner by an assent from the personal representatives of John Lovibond Challoner deceased dated 6th December 1971.

I am accordingly satisfied that Mr. J.W.G. Challoner is the owner of the rectangular area of land, and I shall accordingly direct the Northumberland County Council, as registration authority, to register him as the owner of that area under section 8(2) of the Act of 1965.

In the absence of any evidence regarding the ownership of the access, being the remainder of the land the subject of the reference, I am not satisfied that any person is the owner of it and it will therefore remain subject to protection under section 9 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 10th day of October 1973

Chief Commons Commissioner