



In the Matter of Tidkinhow Moor,  
Langbaugh, Cleveland.

DECISION

This reference relates to the question of the ownership of land known as Tidkinhow Moor, Langbaugh, being the land comprised in the Land Section of Register Unit No. CL 213 in the Register of Common Land maintained by the Cleveland 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 Trustees of Skelton and Gilling Estates claimed to be the freehold owners of parts of the land in question and Messrs Goulders claimed to have information as to the ownership of the remainder.

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 Trustees were represented by Mr T F Auber, solicitor, and Lord Guisborough was represented by Mr P F G Fawcett, his agent.

Most of the land comprised in the Register Unit was conveyed to the Trustees by a conveyance made 13 March 1968 between (1) Margaret Winsome Ringrose-Wharton (2) Richard William Algar Orde-Powlett (Seventh) Baron Bolton, Montagu Charles Warcop Peter Consett and Herbert William Bartlett. Most of this land was conveyed by an indenture made 10 October 1906 between (1) Cyril Edgar Martineau (2) William Henry Anthony Wharton and was vested in Mrs M W Ringrose-Wharton by a vesting deed made by the personal representatives of Mr W H A Wharton on 4 May 1943. The remainder, a triangular area to the east of the land conveyed on 10 October 1906, was the subject of a deed of compromise made on the same date between the same parties. Since then the triangular area has been treated as part of the Trustees' estate.

A smaller area to the west of the Trustees' land was conveyed to trustees by an indenture made 2 October 1906 between (1) George Claud Flood Braddell, Walter Hume Long, and Robert Bell Turton (2) Richard Godolphin Walmesley Chaloner (3) Richard Godolphin Hume Chalner (4) Charles Garthorne Hill and Charles Henry Sitwell (5) R B Turton, John Henry Arthur Whitley and C G Hill. The present trustees were appointed by a deed of declaration made 4 July 1973 between (1) Thomas Richard John Long, Baron Guisborough (2) Roderick Edward Faure Walker (3) Ralpa Meredyth Turton and Maldwin Andrew Cyril Drummond (4) Hedley John Newton.

On this evidence I am satisfied that the respective sets of trustees are the owners of their respective parts of the land, and I shall accordingly direct the Cleveland County Council, as registration authority, to register them as the owners of those parts 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.

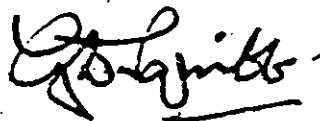
Dated this

5<sup>th</sup>

day of

April

1982



Chief Commons Commissioner