



**APPLICATION COM/232618 FOR
DEREGISTRATION OF PART OF COMMON
LAND AT THE SANDS, DURHAM**

**THE DEREGISTRATION AND EXCHANGE OF
COMMON LAND AND GREENS (PROCEDURE)
(ENGLAND) REGULATIONS 2007**

**REBUTTAL PROOF OF EVIDENCE OF SUSAN
ROBINSON ON BEHALF OF DURHAM COUNTY
COUNCIL**

23 April 2021

1. INTRODUCTION

1.1 My name is Susan Robinson. I am the Council's Head of Corporate Property and Land, a position which I have held since 3rd June 2019. My service deals with the management of the Council's property and land portfolio and my duties are primarily to lead the policy making processes of the Council in relation to the strategic and operational management and direction of the Authority's property and land portfolio. I therefore have overall responsibility for the Council's land holdings.

1.2 This Rebuttal Proof is prepared in response to the Objector's Statement of Case and witness Proofs on the issue of appropriation of the Replacement Land.

2. MINERALS VALLEY PROJECT

2.1 At paragraph 28 of the Objector's Statement of Case it states:

"There is little evidence on how the Replacement Land will be managed as common land and whether this will be compatible with its appropriation to the Mineral Valleys Project...."

2.2 In Michael Hurlow's proof (page 0-94 paragraph 44) he states:

"It was also appropriated to the 2008 Heritage Lottery Funded Mineral Valleys Project"

2.3 Response to 2.1 & 2.2

The replacement land is currently managed by the Countryside Team in a manner appropriate to the use of the land as open amenity space.

All Council land and buildings are held for statutory purposes and not as a project such as the Minerals Valley Project. The replacement land was appropriated from the Local Government Act 1972 to the Countryside Act 1968 on the 3rd March 2008.

2.4 In Michael Hurlow's proof page 0-94 paragraph 53 he states:

"It is already under management as part of the Aykley Heads landscape area and forms part of the Mineral Valleys Project."

2.5 Response to 2.4

The Replacement Land is currently managed by the Countryside Section in a manner appropriate to the use of the land as open amenity space. This is the appropriate regime for the Replacement Land and it is not proposed to alter this.

The Minerals Valley Project was only for tree planting and Aykley Woods to the east of the site was included. The Replacement was specifically excluded from the Mineral Valleys Project as it was to be retained as open access land and could not therefore be included in the woodland planting scheme.

2.6 In Michael Hurlow's proof page 0-94 paragraph 49 he states:

"No information is provided on how this might be practically managed should the Freeman choose to occasionally exercise their grazing option. Also unclear is whether this is compatible with its role in the Mineral Valleys Project."

2.7 Response to 2.6

The Replacement Land is already subject to a maintenance regime in a manner appropriate to the use of the land as amenity space. The grazing of beasts on the land would be compatible with this regime. The grazing of animals following a cut, would be beneficial to the management of the land.