



COMMONS REGISTRATION ACT 1965

Reference Nos 202/D/18  
202/D/19

In the Matter of land on the southern  
side of Odney Common, Cookham, Windsor  
and Maidenhead District, Berkshire

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DECISION

These disputes relate to the registrations at Entry No 1 in the Land Section and at Entry No 1 in the Rights Section of Register Unit No CL 106 in the Register of Common Land maintained by the Berkshire County Council and are occasioned by Objection No 103 made by John Lewis Properties Limited and noted in the Register on 18 December 1970.

I held a hearing for the purpose of inquiring into the disputes at Windsor on 19 July 1978. The hearing was not attended by any person entitled to be heard, but I had a letter dated 18 July 1978 from John Lewis Properties Limited with statement attached. On the day after the hearing I looked at the land from Odney Common (adjoining on the north) but did not go on it, because from the south there is in between a stream and a fence with no easy access, and on the other side it appears to be private.

The registration in the Rights Section was made on the application of Mr L J Ricketts and is of a right attached to Dean Farm and Hardings Farm to graze 3 cattle. The registration in the Land Section was made pursuant to the application for the Rights Section registration.

In the said statement it was said that the land in question is "enclosed land since time immemorial". On my inspection it appeared to me to have been enclosed, if not for quite so long, at least for a very long time. In the absence of any evidence in support of the registration, on the said statement, and from what I myself saw, I conclude that the registrations should not have been made, and I therefore refuse to confirm them.

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 20th day of October — 1978

*A. A. B. J. J.*

Commons Commissioner