



COMMONS REGISTRATION ACT 1965

Reference Nos 202/D/67
to 79 inclusive

In the matter of Maidenhead Thicket,
Windsor and Maidenhead District,
Berkshire

DECISION

These 13 disputes relate to the registrations at Entry Nos 1 to 10 inclusive in the Rights Section of Register Unit No CL 61 in the Register of Common Land maintained by the Berkshire County Council and are occasioned by Objection Nos 55, 56, 59, 60, and 61 made by Messrs George Tarrant Copas and Thomas Henry Copas and noted in the Register on 9 December 1970 and by Objection Nos 85, 97, 117, 124, 129, 138, and 142 and made by the National Trust and noted in the Register on 15 December 1970 and No 181 also made by the National Trust and noted in the Register on 28 July 1972.

I held a hearing for the purpose of inquiring into the disputes at Windsor on 7 March 1979. At the hearing, (1) National Trust for Places of Historic Interest or Natural Beauty (the Land Section Entry was made on their application and in the Ownership Section they are registered as owners of all the Land) were represented by Mr P R Fitzgerald solicitor of Walters Vandercom & Hart Solicitors of London, and (2) Messrs T H and G T Copas (Entry No 8 was made on their application they being therein called "Copas Bros" were represented by Mr J Hanney solicitor of Eric P Hanney & Co, Solicitors of Pinner, Middlesex.

Except as regards the registration at Entry No 9 (Mr R N Caught), there was no evidence that anyone other than the applicants was concerned to support the registrations. Mr Fitzgerald and Mr Hanney having said that the Objectors were agreeable to my dealing with the Entry Nos 1-8 and 10 as set out below, I am only concerned to record what was relied on as showing the agreements of the applicants.

As regards the registration at Entry No 1 made on the application of Mr R A C Simmonds as modified pursuant to his letter dated 17 October 1972, being a right attached (only) to Woodlands Farm to pasture 100 cattle and estovers:- Mr Fitzgerald produced a document signed by Mr Simmonds by which he agreed to the further modification below set out. Accordingly I confirm the registration at Entry No 2 as modified pursuant to the said 1972 letter with the further modification that column 4 read: "To pasture 100 head of cattle and estovers limited to dead wood and nut coppice over the whole of the land comprised in this register unit and in register units numbered CL 58, CL 62, CL 63, CL 64, and CL 65.

As regards the registrations at Entry Nos 2, 3 and 7 made on the application respectively of Mrs M M Bird, Mr P H M Wood and Mrs O M Wood:- I have a letter (filed 202/D/52) of 23 June 1978 from Giddy & Giddy Estate Agents of Maidenhead and elsewhere enclosing a copy of a letter of 2 August 1973 to the County Council



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in which they say in effect that Mrs M Martin Bird, Mrs O Manners Wood and Mr P Manners Wood withdraw any registration made under the 1965 Act. So I refuse to confirm the registrations at Entry Nos 2, 3 and 7.

As regards Entry No 4 made on the application of Mr J R Ewers and Mr D B Ewers of a right held in gross to graze 40 cattle and 100 sheep:- Mr Fitzgerald produced a document signed by them and others in which they (in effect) invited me by reference to the map attached to modify the registration as below set out. A copy of the said map (scale 1/1250) to which I have added the letters ABCD and EFGH to identify the red verge line on the original forms (two overlapping parts) pages 3 and 4 of my decision next hereinafter mentioned. So I confirm the registration at Entry No 4 with the modification that column 4 be:- "To graze 18 head of cattle or 72 head of sheep over the whole of the land comprised in this register unit and register units numbered CL 64, CL 65 and CL 66 provided that the right to graze sheep is limited to this register unit and CL 64 and that in column 5 for the words "Held in gross" be substituted words (to be chosen by the County Council as registration authority by reference to such map as they think fit to provide) identifying the land to which the said right is attached with that shown by the letters ABCD and EFGH on the map being pages 3 and 4 of my decision dated 30 October 1978 (and corrected on 26 March 1979) and made in the matter of Widbrook Common, Cookham (Register Unit No CL 65 and file reference 202/D/25-37).

As regards to the registration at Entry No 5 made on the application of Mr Robert Newman:- Mr Fitzgerald produced a document signed on his behalf inviting me to delete the entry. So I refuse to confirm the registration at Entry No 5.

As regards the registration at Entry No 6 made on the application of Mr C Newman to graze 20 cattle:- Mr Fitzgerald produced a document signed on behalf of Mr C Newman and by others in which they (in effect) invited me by reference to the map attached to modify the registration as below mentioned. A copy of the said map (scale 1/10560) to which I have added the letters PQRS and TUVW to identify the green verge line on the original is page 5 of my said CL 65 decision of 30 October 1978. So I confirm the registration at Entry No 6 with the modification that in column 4 there be added at the end and register units numbered CL 62, CL 64, CL 65 and CL 66, and that in column 5 for the words "Held in gross" be substituted words (to be chosen by the County Council as registration authority by reference to such map as they think fit to provide) identifying the land to which the right is attached with that shown by the letters PQRS and TUVW on the map being page 5 of the said decision.

As regards the registration at Entry No 8 made on the application of Copas Bros as modified pursuant to a letter dated 26 September 1972, being a right to graze 100 cattle, 300 sheep and 10 horses and to excavate chalk and flint on Cock Marsh only:- Mr Fitzgerald said that the National Trust Objection was withdrawn; so I confirm that the registration at Entry No 8 be without any further modification.

As regards the registration at Entry No 10 made on the application of Mr W E Edwards, being of a right to graze 50 cattle and 50 sheep:- Mr Fitzgerald



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said that the National Trust Objection was withdrawn; so I confirm the registration at Entry No 10 without any modification.

As regards the registration at Entry No 9 made on the application of Mr R N Caught of a right to graze 150 cattle and 150 sheep attached to land at Hillgrove, Highwood and Grange Farm:- The considerations relating to this registration are the same as those relating to the registration at Entry No 10 in the Rights Section of Register Unit CL 65 which considerations are set out in my said CL 65 decision dated 30 October 1978. It having been agreed by those present at this hearing that the evidence mentioned in such decision should be treated as applicable also to this Register Unit, I confirm the registration with the modification that in column 4 for the words "150 cattle and 150 sheep" be substituted "150 cattle and 84 sheep", at the end of this column add "and in register units numbered CL 62, CL 63, CL 64 and CL 65, and that column 5 be altered so as to exclude from the land therein described all land in the parish of Bisham and in particular exclude the land on the map annexed to the application dated 8 January 1969 and made by Mr Robert N Caught and being that west of Cookham Dean.

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 26th day of March 1979

a a Baden Fuller

Commons Commissioner