



In the Matter of Pinkneys Green,
Cookham, Windsor and Maidenhead
District, Berkshire

DECISION

These 15 disputes relate to the registrations at Entry Nos 1 to 12 inclusive in the Rights Section of Register Unit No CL 62 in the Register of Common Land maintained by the Berkshire County Council and are occasioned by Objection Nos 50, 52, 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 96, 102, 118, 119, 123, 128(A), 131, 137 and 143 made by the National Trust and noted in the Register on 17 December 1970 and by Objection No 182 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 20 July 1978. 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; (2) Messrs T H and G T Copas (Entry No 8 was made on the application of Copas Bros) were represented by Mr J Hanney solicitor of Eric P Hanney & Co Solicitors of Pinner Middlesex, (3) Mr Lewis James Ricketts (Entry No 3 made on his application) was represented by Mr P Ross articled clerk with Allen James and Co Solicitors of High Wycombe and Mr Cyril Newman (Entry No 5 was made on his application) and Mr Robert Newman (Entry No 6 was made on his application) were also represented by Mr P Ross.

Except as regards the registration at Entry No 9 there was no evidence that anyone other than the applicant was concerned to support the registrations. Mr Fitzgerald and Mr Hanney having said that the objectors were agreeable to my dealing with Entry Nos 1 to 9 and 11 to 12 as set out below, I am only concerned to record what was relied on as showing the agreement of the applicant.

As regards registration at Entry No 1 made on the application of Mr R A C Simmonds as modified pursuant to his letter of 17 October 1972 being a right attached (only) to Woodland Farm to graze 100 cattle and estovers:- Mr Fitzgerald produced a document signed by Mr Simmonds agreeing to the modification below set out. Accordingly I confirm the registration at Entry No 1 as so modified pursuant to the 1972 letter with the further modification that column 4 shall read: "To pasture 100 head of cattle and estovers limited to the taking of dead wood and nut coppice over the whole of the land comprised in this register unit and register units Nos CL 58, CL 61, CL 63, CL 64 and CL 65".

As regards the registrations at Entry No 2, 4 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 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 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} But I refuse to confirm the registration at Entry Nos 2, 4 and 7.

As regards the registration at Entry No 3 made on the application of Mr L J Ricketts to pasture 150 cattle:- Mr Fitzgerald produced a document signed by Mr Ricketts and another which he (in effect) invited me to reduce the headage of stock. So (Mr Ross being agreeable) I confirm the registration at Entry No 4 with the modification that for the words "pasture 150 cattle" there be substituted "pasture 60 head of cattle".

As regards the registration at Entry No 5 made on the application of Mr C Newman of a right held in gross 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 set out. 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 3 of this decision. So I confirm the registration at Entry No 7 with the modification at the end of the words in column 4 be added "and register units numbered CL 61, CL 64, CL 65 and CL 66" and that in column 5 for the words "held in gross" be substituted the 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 PQRS and TUVW on the map being page 3 of this decision.

As regards the registration at Entry No 6 made on the application of Mr Robert Newman: Mr Fitzgerald produced a document signed on his behalf (in effect) inviting me to delete this entry. So (with the agreement of Mr Ross) I refuse to confirm the registration at Entry No 6.

As regards the registration at Entry No 8 made on the application of Copps Bros as modified pursuant to a letter dated 26 September 1972, being a right to graze 100 cattle, 300 sheep and 5 horses:- Mr Fitzgerald said the objections (Nos 128B and 182) had been withdrawn: so I confirm the registration of Entry No 1 as so modified without any further modification.

As regards the registration at Entry No 10 made on the application of Mr W E Edwards to graze 50 cattle and 50 sheep: Mr Fitzgerald gave me a document recording that the objection of the National Trust was withdrawn so I confirm the registration without any modification.

As regards the registration at Entry No 11 made on the application of Mr R S Prior to take 500 bales of hay (10 tonnes):- I was informed of the course of another case before this one by Mr A D McHugh solicitor with Knight and Maudsley solicitors of Maidenhead that Mr R S Prior died 25 January 1978 and the executors named in his will not yet proved are Miss Christine Victoria Prior of Crete Ray Mill Road East Maidenhead and Mr John Lewis Stevenson, an accountant with Rowland Nevill & Co of London. There was left with my clerk at the hearing a document signed by Miss Christine V Prior as executor of Mr R S Prior on behalf of herself and her co-executor whereby (in effect) they withdraw the registration under Entry No 11 and concede Objection No 119 and 50. So I refuse to confirm registration at Entry No 11.



COMMONS REGISTRATION ACT 1965

Re: Pinkneys Green, Cockham,
Windsor and Maidenhead District,
Berkshire.

Ref Nos 202/D/52-66

This map is page 3 of the decision
dated 9 November 1978
and made by the Commons Commissioner
in this matter.

C. A. Baker

Commons Commissioner



As regards the registration at Entry No 12 made on the application of Mrs M E K Mahar and Miss I C Reading as modified pursuant to a letter from their solicitor of 31 December 1970 being of a right to graze 10 cattle:- Mr Fitzgerald handed me a document stating that the objection was withdrawn. So I confirm the registration as modified as aforesaid without any further modification.

As regards the registration at Entry No 9 made on the application of Mr R N Caught being of a right attached to Hillgrove, Highwood and Grange Farm to graze 150 cattle and 150 sheep:- The considerations applicable to this registration made on the application of Mr Caught and set out in my decision dated 30 October 1978 re Wildbrook Common, Cookham reference Nos 202/D/25-37. It was agreed by those present at the hearing that I should treat the evidence given in that case as given in this case. For the reasons set out in my said decision I confirm the registration at Entry No 9 with the modification that in column 4 for the words 150 cattle and 150 sheep shall be substituted 15 cattle and 84 sheep and that column 5 be altered so as to exclude from the land therein described all land in the parish of Bisham including particularly the land shown on the map attached to the application dated 3 January 1969 and made by Mr Robert N Caught as being 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 9th day of November 1978

a. a. Brian Fuller

Commons Commissioner