



COMMONS REGISTRATION ACT 1965

Reference No. 212/U/73

In the Matter of Almshouse Green,  
Sible Hedingham, Essex

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DECISION

This reference relates to the question of the ownership of land known as Almshouse Green, Sible Hedingham, being the land comprised in the Land Section of Register Unit No. VG 142 in the Register of Town or Village Greens maintained by the Essex 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 no person claimed to be the freehold owner of the land in question and no one claimed to have information as to its ownership.

I held a hearing for the purpose of inquiring into the question of the ownership of the land at Chelmsford on 6 October 1978.

At the hearing the Sible Hedingham Parish Council was represented by Mr D L Colthorpe, Solicitor.

Mr Colthorpe informed me that Mr Michael Prior of Barnard's Farm, Wethersfield Road, Sible Hedingham might be the freehold owner of the land in question. I thereupon adjourned the hearing. The Clerk of the Commons Commissioners wrote to Mr Prior and requested him, if he were the owner of the land, to send particulars of his title. Mr Prior's solicitors have sent to the Clerk of the ~~Clerk of the~~ Commons Commissioners an affidavit by Mr Prior, which I have accepted under regulations 22(1) of the Commons Commissioners Regulations 1971. It appears from this affidavit that Mr Prior's father, Mr Wilfred Iasiah Prior, purchased Barnards Farm, Sible Hedingham in 1960. Since then Mr Michael Prior and his father have farmed Barnards Farm in partnership.

A part of the land the subject of the reference was in 1960 divided from land forming part of Barnards Farm by a ditch. In 1961 this ditch was piped and Mr Michael Prior and his father ploughed this part of the land the subject of the reference and they have since continued to cultivate it without any adverse claim.

Another part of the land the subject of the reference was mown for hay by Mr Michael Prior and his father for about 15 years and has since been seeded to grass and maintained as part of the curtilage of Barnards Farm without any adverse claim.

It therefore appears that Mr W J Prior has acquired a possessory title to the two pieces of land above mentioned.

On this evidence I am satisfied that Mr W J Prior is the owner of these pieces of land, and I shall accordingly direct the Essex County Council, as registration



authority, to register him the owner of such parts of the land under section 8(2) of the Act of 1965.

In the absence of any evidence I am not satisfied that any person is the owner of the remainder of the land the subject of the reference, and I shall accordingly direct the County Council to register the Sible Hedingham Parish Council as the owner of those parts of the land under Section 8(3) 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 10~~2~~ day of December 1979

Chief Commons Commissioner