



In the Matter of Battlesbridge Common,
Rettendon, Essex

DECISION

This reference relates to the question of the ownership of land known as Battlesbridge Common, Rettendon being the part of the land comprised in the Land Section of Register Unit No. CL 91 in the Register of Commons Land 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 Mr Roy Hart claimed to be the freehold owner of the land in question and no other person 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 21 February 1980.

At the hearing Mr Hart appeared in person. Mr Hart is the Lord of the Manor of Rettendon, the lordship of which he acquired by a Conveyance made 9 March 1979 between (1) Hardwicke Estates Ltd (2) Roy Hart, with a good root of title in a Conveyance made 25 June 1956 between (1) Frances Felkin Stunt (2) Hardwicke Estates Ltd. Mr Hart has no survey showing the exact extent of the land which is parcel of the manor. However, the land comprised in the Register Unit consists of a triangular area of roadside waste and is bounded on the west by a parcel of land which is numbered 553 on the tithe map for the parish of Rettendon and is described in the award as copyhold of the manor of Rettendon. From this I draw the inference that the adjoining piece of roadside waste was also parcel of the manor. A very small triangle of the roadside waste is now registered freehold under Title No. EX 96747 (which includes other land) and is therefore not the subject of this reference. There being no evidence that the remainder of the roadside waste has since been severed from the lordship of the manor, I am satisfied that Mr Hart is the owner of the land, and I shall accordingly direct the Essex County Council, as registration authority, to register him as the owner of the land under section 8(2) 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 11th day of March 1980

Chief Commons Commissioner