



In the Matter of Four Elms Triangle,
Bardfield Saling, Essex.

DECISION

This reference relates to the question of the ownership of land known as Four Elms Triangle, Bardfield Saling, being the land comprised in the Land Section of Register Unit No. CL 276 in the Register of Common 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 F H Mash Ltd 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 5 October 1978.

At the hearing F H Mash Ltd was represented by Mr George Knowles, its Secretary, and the Bardfield Saling Parish Meeting was represented by Mr H G Austin, its Chairman.

The land the subject of the reference is adjacent to Four Elms Mill, the property of F H Mash Ltd. F H Mash Ltd bought Four Elms Mill in 1965, but the land in question was not included in the conveyance. Since 1965 F H Mash Ltd has cut the grass on the land in question and has generally kept it in order, but has not done anything which could be regarded as taking possession of the land, and there is no evidence that anybody has been in possession of it.

On this evidence I am not satisfied that any person is the owner of the land, and it will therefore remain subject to protection under section 9 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 October 1978


CHIEF COMMONS COMMISSIONER