



In the Matter of Land and adjacent Waste Land,
Little Warley Common, Brentwood D

DECISION

This reference relates to the question of the ownership of land described above being the part of the land comprised in the Land Section of Register Unit No. CL 8 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 Lord Petre 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 in question at Chelmsford on 21 July 1983.

At the hearing Lord Petre appeared in person.

The land comprised in this Register ("the Unit land") is a considerable area which includes Little Warley Common: Brentwood District Council is registered as owner of the greater part of this area. The remainder, with which this inquiry is concerned consists of three comparatively small areas at the southern end of the Unit land, which are respectively described in the notice of reference as (1) part of Childerditch Common from Childerditch Pond to Little Barrett (2) two small pieces of land one at the junction of Magpie Lane and Little Warley Hall Lane and the other on the south side of Magpie Lane west of that junction. Lord Petre's claim is based on his lordship of the manor of Childerditch, which with other neighbouring manors was vested in him on the determination of a Settlement by the trustees of the Settlement, the Conveyance being dated 25 November 1935. On this evidence and in the absence of any other claim I am satisfied that Lord Petre is the owner of the three areas and I shall accordingly direct the Essex County Council, as registration authority, to register him as the owner 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

21 October

1983

L. J. Morris Smith
Commons Commissioner