



COMMONS REGISTRATION ACT 1965

Reference No. 212/U/141

In the Matter of land at
Foster Street, North Weald,
Epping Forest District, Essex

DECISION

This reference relates to the question of the ownership of land at Foster Street, North Weald, Epping Forest District being the land comprised in the Land Section of Register Unit No. CL 167 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 no person claimed to be the freehold owner of the land in question and no 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 18 October 1979. At the hearing North Weald Parish Council were represented by Mr K S J Davis their clerk and Mr R L Davis their chairman.

Mr R L Davis said (in effect):- to the southwest of this land there is a very large area known as Harlow Common being the land in Register Unit No. CL 21 and in the ownership of Harlow Council as Lord of the Manor. The CL 167 land might on its appearance be thought to be part of the CL 21 land. The Parish Council could offer no evidence as to the ownership of the CL 167 land.

The CL 167 registration was made in consequence of the registration of a grazing right; of such rights there are in the Rights Section 5 registrations, all of which extend to the CL 21 land; so ~~it~~ may be ~~that there was some~~ some confusion as regards the CL 167 land. However this may be, in the absence of any 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 16th day of November — 1979.

A. O. Boden Fellen

Commons Commissioner