



In the Matter of Land near the Allotment Gardens,
The Friends' Meeting House, and The Washings, Layer Breton,
Essex.

DECISION

This reference relates to the question of the ownership of land near the Allotment Gardens, The Friends' Meeting House, and The Washings, Layer Breton, being the land comprised in the Land Section of Register Unit No. CL.360 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 Mrs T L Jones claimed to be the freehold owner of the land in question and Mr B G Dobson claimed to be the owner of part of it, and Mr P E L Luxmoore, Chairman of the Layer Breton Parish Meeting, 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 Chlchester on 8 December 1983. At the hearing Mrs Jones was represented by Mr S R Mitchell, Solicitor, and the Layer Breton Parish Meeting was represented by Mr P E L Luxmoore, its Chairman.

By a conveyance made 8 January 1955 between (1) Horace Frederick Beaumont and John Lionel Beaumont (2) John Relf there was conveyed to Mr Relf the manor or lordship or reputed manor or lordship of Layer Barley otherwise Layer Breton. Mr Relf died on 20 October 1967 and probate of his will was granted to Mrs Jones on 5 April 1971.

The land in question consists of strips on either side of two roads and is waste land in the technical legal sense of that expression.

Evidence was given by Mr J G Eve, who has lived at Layer Breton Hall since 1947 and has never heard of there being any other manor than that of Layer Barley otherwise Layer Breton in the parish of Layer Breton.

On this evidence I am satisfied that Mrs Jones is the owner of the land, and I shall accordingly direct the Essex County Council, as registration authority, to register her 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 16th day of December 1983

Chief Commons Commissioner