



COMMONS REGISTRATION ACT 1965

Reference No.12/U/12

In the Matter of Molehill Green,
Takeley, Essex.

DECISION

This reference relates to the question of the ownership of land known as Molehill Green, Takeley, being the land comprised in the Land Section of Register Unit No.V.G.10 in the Register of Town or Village Greens 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 one 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 Saffron Walden on 4th December 1973.

At the hearing the Takeley Parish Council was represented by Mrs. C.C. Whittingham, its Clerk. Mrs. Whittingham informed me that she had been unable to trace the owner of the land in question.

In the absence of any evidence I am not satisfied that any person is the owner of the land, and I shall accordingly direct the Essex County Council, as registration authority, to register the Takeley Parish Council as the owner of the land under section 8(3) 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 *21st* day of *December* 1973

Chief Commons Commissioner



The circumstances that the South Piece is or was at one time a wharf, provides no reason why I should not give full effect to the documents produced. I am therefore satisfied that the claimants are the owners of the South Piece, and I shall accordingly direct the Essex County Council as registration authority to register Mr William Parker of Keythorpe Grange, East Norton, Leicestershire, Mr Frank Robert Dixon of 4 Horsefair Street, Leicester and Mr Christopher Robert Simpson of 37 New Walk, Leicester as the owners of the South Piece (which I shall in my direction define by reference to the HWMMT) under Section 8(2) of the Act of 1965.

Mr Huddard said that he understood the North Piece to be mud (it is so marked on the 1924 OS map). In the absence of any evidence as to its ownership, I am not satisfied that any person is the owner, and I shall accordingly as I am required to do by subsection (3) of the said Section 8, although the result may perhaps be somewhat strange, direct the Essex County Council as registration authority, to register Canewdon Parish Council as the owner of the land under section 8(3) 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 8th — day of March — 1979

A. A. Baden Fuller

Commons Commissioner