



COMMONS REGISTRATION ACT 1965

Reference No. 212/D/210-212

In the Matter of Pantlings Lane and The land  
at side where the Hedges are situated, Kelvedon

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DECISION

These disputes relate to the registration at Entry No. 1 in the Land Section and Entry No. 1 in the Ownership Section of Register Unit No. CL 316 in the Register of Common Land maintained by the Essex County Council and are occasioned by Objection No. 125 made by T A Harvey and noted in the Register on 8 December 1970 and by Objections No. 351 and 354 made by Joseph Smith (Farms) Ltd and respectively noted in the Register on 22 January 1971 and 14 April 1971.

I held a hearing for the purpose of inquiring into the disputes at Chelmsford on 21 January 1981. The hearing was attended by Mr P R Fitzgerald, Solicitor, of the firm of Walters, Fladgate representing Mr G H Brown, the applicant for registration in the Land Section and in the Ownership Section. Neither of the Objectors was present or represented.

Mr Harvey's Objection was to the registration in the Land Section and Mr Fitzgerald produced a letter dated 5 January 1976 from Mr Harvey's then Solicitors withdrawing the Objection. The Objections of Joseph Smith (Farms) Ltd were to the registrations in both Sections: it appeared from correspondence produced by Mr Fitzgerald that the Company's interest was in 1980 disposed of to Pension Fund Property Unit Trust, whose Solicitors by letter dated 16 January 1981 had written to the effect that they were not contesting the matter.

In these circumstances I confirm both registrations.

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

9 February

1981

*L. J. Morris Smith*

Commons Commissioners