



In the Matter of Park Green, Berden,
Uttlesford District, Essex

DECISION

This reference relates to the question of the ownership of land known as Park Green, Berden, Uttlesford District being the land comprised in the Land Section of Register Unit No. CL 83 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 Mr L R Swann of Sunnymead said (letter of 29 July 1980) that this land has always been open park land and that in consequence of two public inquiries, the area was designated as one of unique format and possessing outstanding rural amenities. Neither he nor anyone else claimed to be the freehold owner of the land in question or 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 27 January 1981. There was no appearance at the hearing.

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 6th — day of February 1981.

a. a. Baden Fuller

Commons Commissioner