



In the Matter of Springfield Green (part),
Chelmsford, Essex.

DECISION

This reference relates to the question of the ownership of land known as Springfield Green (part), Chelmsford, being the part of the land comprised in the Land Section of Register Unit No. VG 114 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 the Chelmsford District Council claimed to be the freehold owner of the land in question and no other 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 8 July 1977.

At the hearing Mr C J Trowhill, solicitor, appeared on behalf of the Chelmsford District Council, and the Springfield Residents Association was represented by Mr J D Roberts, its Chairman.

The former Chelmsford Borough Council was authorised to acquire part of the land the subject of the reference by the Chelmsford (Springfield Green-Improvement) Compulsory Purchase Order 1969. Since it was not possible after diligent enquiry to find the owner of this part of the land, the Borough Council vested this part of the land in itself by a vesting deed made 4 July 1972 under section 5 of and Schedule 2 to the Compulsory Purchase Act 1965.

There was no evidence as to the ownership of the remainder of the land the subject of the reference.

On this evidence I am satisfied that the Chelmsford District Council as successor to the former Borough Council is the owner of the land vested by the deed of 4 July 1972. I shall accordingly direct the Essex County Council, as registration authority, to register the District Council as the owner of that land under section 8(2) of the Act of 1965. In the absence of any evidence as to the remainder of the land the subject of the reference, it will 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 9th day of August 1977

Chief Commons Commissioner