



In the Matter of The Pond and Land surrounding it by the Boar's Head and The Green, Herongate, Brentwood, Essex.

DECISION

This reference relates to the question of the ownership of The Pond and land surrounding it by the Boar's Head and The Green, Herongate, Brentwood, being the land comprised in the Land Section of Register Unit No CL 82 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 Lord Petre 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 17 January 1978.

At the hearing Lord Petre appeared in person.

Mr C C Stevens, the Bailiff of the Manor of East Horndon, gave evidence that the land in question is open to the road, unoccupied, and uncultivated and is one of the manorial commons for which he is responsible. The Court Baron of the Manor is held by the Steward in the name of Lord Petre as Lord of the Manor. Lord Petre is the lord of the manor by virtue of a conveyance and deed of discharge made 25 November 1935 between (1) Sir Frederick Carne Rasch, bt and Herbert John Anthony Throckmorton (2) Joseph William Lionel, Baron Petre.

On this evidence I am satisfied that Lord Petre is the owner of the land, and I shall accordingly direct the Essex County Council, as registration authority, to register him 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

3rd

day of

March

1978

CHIEF COMMONS COMMISSIONER