COMMONS REGISTRATION ACT 1965

Reference No 212/U/110

In the Matter of The Pond near Layer
Breton Heath Layer Breton Colchester BC

DECISION

This reference relates to the question of the ownership of land known as the land
near Layer Breton Heath Layer Breton Colchester BC being the part of the land comprised
in the Land Section of Register Unit No CL 420 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 Mrs T L Jones 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 Colchester on 26 July 1978.

Mr J W G Hoare consulted with Messrs Bawtree & Sons appeared for Mrs T L Jones
and he produced a conveyance mentioned in my decision on Ref 212/U/101 which
satisfied me that Mrs Jones is the owner of the commons and wastes parcel of the
Manor of Layer Breton.   He also produced a copy extract from the Court Roll of the
Manor of Layer Breton from which it appears that Shatters Green and Shatten Close
were parcel of that Manor.   The pond in question is at the eastern end of Shatters
Lane and on this evidence I am satisfied that it is parcel of the Manor.

On this evidence I am satisfied that Mrs T L Jones is the owner of the land, and
I shall accordingly direct the Essex County Council, as registration authority,
to register Mrs T L Jones 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   10"   day of October   1978

COMMONS COMMISSIONER