

COMMONS REGISTRATION ACT 1965



Reference No. 212/U/294

In the Matter of the Village Green and Pond,  
Stondon Massey, Brentwood D

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DECISION

This reference relates to the question of the ownership of land described above being the land comprised in the Land Section of Register Unit No. VG 237 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 Stondon Massey Parish Council claimed to be the freehold owner of the land in question ("the Unit land") 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 Unit land at Chelmsford on 21 July 1983.

At the hearing the Parish Council was represented by its Chairman, Mr A R H Shepherd. Mr Shepherd who has been on the Council for some 25 years told me that the Unit land has been maintained by the Parish Council during that time and also in earlier years: there are references in its Minute book to clearing and wharfing of the Pond in 1899, 1908 and 1932. There is however also a reference in the Minute book to the Green being leasehold held at a peppercorn rent, which indicates leasehold rather than freehold ownership. Accordingly I am not satisfied that the Parish Council or any other person is the owner of the Unit land, but I shall direct the Essex County Council, as registration authority, to register the Parish Council as the owner under section 8(3) 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

21 October

1983

*L. J. Morris Smith*

Commons Commissioner