



In the Matter of Three Pieces of Land
by the Side of the Blackmore Road,
Ingatestone and Fryerning, Essex--

DECISION

This reference relates to the question of the ownership of three pieces of land by the side of the Blackmore Road, Ingatestone and Fryerning, being the land comprised in the Land Section of Register Unit No. CL 454 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 20 February 1980.

At the hearing Lord Petre appeared in person.

The land the subject of the reference consists of three long strips of roadside waste situate in the manor of Ingatestone. Since there is no entry in the Rights Section of the Register Unit, the land can only fall within the definition of "Common Land" in Section 22(1) of the Commons Registration Act 1965 by being waste land of a manor not subject to rights of common.

Lord Petre is the lord of the manor of Ingatestone, the lordship having been conveyed to him by a Conveyance and deed of discharge made 25 November 1935 between (1) Sir Frederic Carne Rasch 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

11th

day of

March

1980

Chief Commons Commissioner