



In the Matter of Tower Pond, Writtle, Chelmsford B

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. CL 344 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 Writtle Parish Council claimed to be the freehold owners 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 land at Chelmsford on 20 July 1983.

At the hearing Mr A Sayles ^{Solicitor} appeared on behalf of the Parish Council.

By an Inclosure Award dated 24 November 1670 there were awarded a number of Public Ponds and Watering Places one of which, numbered 77a on the Award map, is identifiable as the Unit land. This was not in terms awarded or allotted to any person or body of persons, the only other provision relating to it being that its fencing and cleansing should be done by certain adjoining owners. I do not find anything in this Award, nor was there evidence adduced, which satisfies me that the ownership has now become vested in the Parish Council or in any other person. In these circumstances, the Unit land 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 1977 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

24 September

1983

L. J. Morris Smith
Commons Commissioner