



COMMONS REGISTRATION ACT 1965

Reference No. 59/D/23

In the Matter of Highwood Hill Green,
Barnet, Greater London

DECISION

This dispute relates to the registration at Entry No. 1 in the land section of Register Unit No. VG 43 in the Register of Town or Village Greens maintained by the Greater London Council and is occasioned by Objection No. 19 made by the London Borough of Barnet and noted in the Register on 6 July 1970.

I held a hearing for the purpose of inquiring into the dispute at Watergate House, WC2N 6LB on 11 and 12 May 1976. The hearing was attended by Mr L. Craymer, solicitor, on behalf of the Mill Hill Preservation Society, the applicant for the registration, and by Mr Langdon-Davies, of Counsel, on behalf of the objector.

The land comprised in the Register Unit consists of two more or less triangular areas of grassland on either side of Highwood Hill at its junction with Marsh Lane. Opposite stands the Rising Sun Public house. The only evidence regarding the use of the land was that there is a seat on it and that customers of the public house sometimes drink there. Mr Craymer contended that although there was no evidence relating to sport or games, the land was used for recreation.

In my view there was no evidence that this land had been used by the inhabitants of the locality for any pastime as of right. The land appears to be or to have been waste land of the manor of Hendon, which could perhaps have been registered as common land, but there is nothing to support the registration as a town or village green.

For these reasons I refuse to confirm the registration.

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 21st day of June 1976.


Chief Commons Commissioner