



In the Matter of Boxmoor and Dew Green Commons,
Hemel Hempstead, Hertfordshire

DECISION

This reference relates to the question of the ownership of land known as Boxmoor and Dew green Commons, Hemel Hempstead, being the land comprised in the Land Section of Register Unit No. CL.24 in the Register of Common Land maintained by the Hertfordshire 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 the Hertfordshire County Council and the Boxmoor Trust claimed to be the freehold owners of parts of the land in question and the Dacorum Borough Council 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 Hertford on 12 February 1985. At the hearing the Hertfordshire County Council was represented by Mrs L M Homer, Solicitor, and the Boxmoor Trustees by Mr R T Hodder, Solicitor and Clerk to the Trustees.

The Boxmoor Trust was constituted under the Act 49 Geo. III, C. clxix, by which most of the land the subject of the reference was vested in trustees. Although this land is described in the Register Unit as Boxmoor and Dew Green Commons, I was informed that none of the land shown on the Register Map forms part of Dew Green Common. The remainder was subsequently acquired by the following instruments:-

1. Covenant to surrender copyhold lands made 9 August 1844 between (1) John Weall and others (2) The Trustees
2. Indenture made 18 March 1869 between (1) George Alexander Smith (2) The Trustees
3. Indenture made 14 March 1918 between (1) Dudley Granville Richard Ryder (2) The Trustees
4. Deed of Exchange made 25 October 1960 between (1) Hemel Hempstead Development Corporation (2) The Trustees
5. Conveyance made 30 January 1968 between (1) The Commissioners for the New Towns (2) The Trustees

Some small strips of land adjoining roads were conveyed to the former Hertfordshire County Council by a Conveyance made 10 August 1966 between (1) The Trustees (2) The County Council of the Administrative County of Hertford. These strips of land, which are identified on an agreed plan put in at the hearing, were transferred to the present Hertfordshire County Council by the Local Authorities (England) (Property etc) Order 1973 (S.I.1973 No.1861)



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On this evidence I am satisfied that the Boxmoor Trustees and the Hertfordshire County Council are the owners of parts of the land, and I shall accordingly direct the County Council, as registration authority, to register them as the owners of their respective parts 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

22nd

day of

February

1985

A handwritten signature in cursive script, appearing to read 'G. Styrish', written over a horizontal line.

Chief Commons Commissioner