



COMMONS REGISTRATION ACT 1965

Reference No.16/D/18

In the Matter of Bulls Green,
Tewin, Hertfordshire (No.4).

DECISION

This dispute relates to the registration at Entry No.1 in the Rights Section of Register Unit No.C.L.148 in the Register of Common Land maintained by the Hertfordshire County Council and is occasioned by the conflicting registration at Entry No.1 in the Land Section of Register Unit No.V.G.70 in the Register of Town or Village Greens maintained by the Council.

I held a hearing for the purpose of inquiring into the dispute at Hertford on 14th March 1973. The hearing was attended by Mr. P.D. Walters, the Chairman of the Tewin Parish Council, which applied for the conflicting registration. Dr. R.M. Puddifoot, who applied for the registration, did not appear and was not represented.

For the reasons given in my decision in In the Matter of Bulls Green, Tewin (No.1), 16/D/15, I have decided to confirm the conflicting registration. It therefore follows that I must refuse to confirm this registration in so far as it is in conflict with the conflicting registration.

This leaves for consideration the claim to rights of common over the part of C.L.148 which is not included in V.G.70. The only evidence in support of this claim is Dr.Puddifoot's statutory declaration made in support of his application for the registration. On the other hand, Mr. Walters, who has known the land in question for many years, said that he had never known Dr.Puddifoot to exercise any rights of common over it. In the absence of any better evidence on behalf of Dr.Puddifoot, I find that he has not made out this part of his claim.

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 30th day of March 1973


Chief Commons Commissioner