



In the Matter of Chorleywood Common (part),  
Chorleywood, Hertfordshire

DECISION

This reference relates to the question of the ownership of land known as Chorleywood Common (part), Chorleywood, being the land comprised in the Land Section of Register Unit No. CL.228 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 Chorleywood Parish Council, Mrs M Wood, and Mr and Mrs C M Stephens claimed to be the freehold owners of parts of the land in question and the Parish 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 Chorleywood Parish Council was represented by Mrs F.M Beney, its Chairman, and Mrs M Wood, Mrs A.M. Stephens, and Mr J. Smethurst appeared in person.

The land the subject of the reference is a small area to the west of a golf course known as Chorleywood Common. Land described as Chorleywood Common was conveyed to the former Chorleywood Urban District Council by an indenture made 9 May 1921 between (1) James Henly Batty (2) Chorleywood Urban District Council and was transferred to the Parish Council by the Local Authorities (England) (Property etc) Order 1973 (S.I. 1973 No. 1861). After a careful consideration of the plan attached to the 1921 indenture and the other documents produced to me, I have come to the conclusion that no part of the land the subject of the reference was included in the parcels of the 1921 indenture.

It appears that the land the subject of the reference may have been registered as common land in error, but that is a matter over which I have no jurisdiction. The registration has become final, and I can only consider the question of the ownership of the Land.

The land in question now forms parts of the curtilages of three houses. The first was conveyed to Mrs Wood and her late husband by a conveyance made 6 September 1961 between (1) Francis Edward Collis (2) Gerard Wood and Margaret Wood his wife. Mr Wood died on 28 September 1983, and his will was proved by Mrs Wood. The second part was conveyed to Mrs Stephens and her husband by a Conveyance made 22 January 1968 between (1) John Trevor Spurgen (2) Charles Murray Stephens and Anne Mary Stephens his wife. The third part was conveyed to Mr Smethurst and his wife by a Conveyance made 3 November 1971 between (1) Kathleen Mary Godrington Forsyth



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(2) John Smethurst and Barbara Julie Smethurst his wife.

On this evidence I am satisfied that Mrs Wood, Mr and Mrs Stephens, and Mr and Mrs Smethurst are the owners of parts of the land, and I shall accordingly direct the Hertfordshire 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 'D. Stapleton', written over a horizontal line.

Chief Commons Commissioner