



In the Matter of Cross Green, Bowling Green, Ball Green and School Green, in Cottered, East Hertfordshire District, Hertfordshire

DECISION

This reference relates to the question of the ownership of land known as Cross Green, Bowling Green, Ball Green and School Green, being adjoining or nearby pieces in Cottered, East Hertfordshire District and being together the land comprised in the Land Section of Register Unit No. VG 29 in the Register of Town or Village Greens 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 Cottered Parish Council claimed (letters dated 2.10.79 and 8.2.80) that the land in question is now owned by them. No other person claimed to be the freehold owner or 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 14 January 1981. At the hearing Cottered Parish Council were represented by Mr N Chuck their chairman; and Mr G A J Hagger on whose application the registration was made, attended in person.

Mr Chuck who has lived in Cottered since 1945 (then 6 years old), been a member of the Parish Council since 1964 and Chairman since 1980, in the course of his evidence produced a conveyance dated 20 April 1931 by which Mr Ralph Erskine Saunders after reciting that the land thereby conveyed had been used for the resort and recreation of adults and as a playground for children and youth of the parish and reciting his desire that it should thereafter be so used, conveyed to Cottered Parish Council the lands delineated on the plan annexed to be held by them as trustees as a public ground for the purposes of the Recreation Grounds Act 1859; and he (Mr Chuck) also produced an extract from the Herts and Cambs Reporter and Royston Crow for April 24 1931 which included a photograph of the Lord of the Manor (Mr Ralph Saunders) handing over the deed of gift of Cottered Village Green and included a description of the ceremony.

Mr Chuck said (in effect):- The land is in the centre of the Village and around it many of the houses are thatched and of lath and plaster at least 300 years old (with some modern houses interspersed). The land is mostly grass with some trees. The Parish Council have kept it in order and replaced the older trees by new when needed.

The area delineated on the plan of the said 1931 conveyance except for a comparatively very small area at the south-west end, corresponds area delineated on the Register map. After some discussion with Mr Chuck I concluded ~~again~~ for the purposes of this decision neglect this very small area. From the evidence summarised above I am satisfied that the Parish Council are the owners of the land, and I shall accordingly direct the Hertfordshire County Council, as registration authority, to register Cottered Parish Council as the owner of the land 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 6<sup>th</sup> — day of February 1981.

a. a. Bode Fuller

Commons Commissioner