



COMMONS REGISTRATION ACT 1965

Reference No. 216/U/96

In the Matter of Harpenden Common (west)

DECISION

This reference relates to the question of the ownership of parts of the land described above being the parts of the land comprised in the Land Section of Register Unit No. CL.16 in the Register of Common Land maintained by the Hertfordshire County Council of which no person is registered as owner under section 4 of the Commons Registration Act 1965 or under the Land Registration Acts.

I held a hearing for the purpose of inquiring into the question of the ownership of the land at Harpenden on 7 March 1988.

The hearing was attended by Miss Pegrum, of and representing the County Council, in addition to those attending as mentioned below.

There are three small parts of the common whose ownership is not already registered. These three parts are on the western fringe of the common near Hatching green. The largest of the three parts lies between the lines A-B and C-D on the Register map.

Mr Hammond, an officer of and representing the Town Council, appeared at the hearing and informed me that, whilst the Town Council had no evidence of ownership, it was interested in maintaining this part. There was no other claimant and as I am not satisfied as to its ownership this part will remain subject to protection under section 9 of the 1965 Act.

The other two parts are very small areas lying within the area between the lines E-F and G-H on the Register map. Ownership of the part adjacent to the house 71 West Common is claimed by Mr and Mrs David Robinson. Mrs Robinson appeared at the hearing, and it emerged that this part is now registered freehold under the Land Registration Acts with Mr and Mrs Robinson as proprietors. I do not therefore have to make any finding or give any direction as to ownership; no doubt the Land Registry title will be noted in the ownership section of the Registration Authority.

As to the third part, no claimant appeared, and it will accordingly remain subject to protection under section 9.

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 17th day of March 1988

L. J. Thomas Esq.

Commons Commissioner