



COMMONS REGISTRATION ACT 1965

Reference No 16/U/66

In the Matter of land fronting on Nos 42 and 44 High Road,
Waterford, Stapleford, East Hertfordshire District,
Hertfordshire

DECISION

This reference relates to the question of the ownership of land in two pieces, in Waterford, Stapleford, East Hertfordshire District being the land comprised in the Land Section of Register Unit No CL. 94 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 no person claimed to be the freehold owner of the land in question and no person 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 6 July 1976. At the hearing Stapleford Parish Council were represented by Mr A E Jordan, one of their members.

Mr Jordan said (in effect):- Both pieces (as I scale the Register map neither is more than 100 feet long or wide) are between the A602 road which is on their west and the River Beane which is on their east. One of the pieces fronts on No 44 Main Street which was known as Windmill Tea Rooms (the building is no longer used as such being now a private residence) and is used for parking; the other fronts on No 42 Main Street and has on it a telephone kiosk. In January 1975, a chestnut tree on the No 44 piece was blown down and in its fall damaged two motor cars; the enquiries as to ownership then made (some thought the owner might be liable) were unsuccessful. The Parish Council can offer no evidence of ownership of either piece.

In the absence of any evidence I am not satisfied that any person is the owner of the land and it will therefore be subject to protection under section 9 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 9th day of July — 1976

a. a. Baden Fuller

Commons Commissioner