



COMMONS REGISTRATION ACT 1965

Reference No.16/D/11

In the Matter of Lannock Hill
Chalk Pit, Weston, Hertfordshire.

DECISION

This dispute relates to the registration at Entry No.1 in the Land Section of Register Unit No.C.L.220 in the Register of Common Land maintained by the Hertfordshire County Council and is occasioned by Objection No.96 made by the Trustees of the Weston Settlement and noted in the Register on 9th October 1970.

I held a hearing for the purpose of inquiring into the dispute at Hertford on 17th January 1973. The hearing was attended by Mrs.Lilian Pugh, Clerk of the Weston Parish Council, which applied for the registration, ^{and} by Mr. S.F.B. Lowd, solicitor, for the Objectors.

Mrs.Pugh produced a certified copy of the relevant part of the Inclosure Award made in 1801 under the Weston Inclosure Act of 1797 (37 Geo.III, c.137) (private), from which it appears that the land the subject of this reference was awarded as and for a public pit to be used in common by the proprietors of land and estates in the parish of Weston and their tenants as well for their own necessary uses as for the repairs of the public and private roads in the parish. However, the land has long since ceased to be used for any of these purposes. Chalk from it was still being used on the roads when Mrs.Pugh came to Weston in 1930, but by 1944 the Rural District Council had filled it with rubbish and covered it with topsoil. The Rural District Council then let it to a Mr. Franklin at 15/- (75p) a year. The Trustees of the Weston Settlement now hold it as tenants of the Rural District Council.

From these facts I infer that any rights of common which may formerly have existed over this land have been abandoned by the persons entitled to them.

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 25th day of January 1973

Chief Commons Commissioner