



COMMONS REGISTRATION ACT 1965.

Reference No. 16/U/5

In the Matter of Leverstock Green
Hemel Hempstead, Hertfordshire

DECISION

This reference relates to the question of the ownership of land known as Leverstock Green, Hemel Hempstead being the land comprised in the Land Section of Register Unit No. V.G.9 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 no person (except as mentioned below) claimed to be the freehold owner of the land in question 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 Watford on 11th April 1972.

On behalf of the Hemel Hempstead Borough Council evidence was given that a scheme for the regulation and management of this land had been made by the Council under the Commons Act 1899, that this scheme had been approved by order of the Minister of Agriculture and Fisheries on the 18th December 1936, that since the making of the scheme the land had been regulated and managed by the Council in accordance with the scheme. The Council did not claim that I should under subsection (2) of section 8 of the Act be satisfied that the Council was the owner because the Council had always understood that the Crown was the owner of the soil.

No one other than the Hemel Hempstead Borough Council appeared at the hearing and there is on the file a letter dated the 25th March 1972 from the Crown Estates Commissioner stating that they do not make any ownership claim to the land.

For these reasons I am not satisfied that any person is the owner of the land, and I shall accordingly direct the Hertfordshire County Council as registration authority, to register Hemel Hempstead Borough Council as the owner of the land.

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 23rd day of April 1972

A. A. Baden Fuller

Commons Commissioner