

COMMONS REGISTRATION ACT 1965

Reference No 16/U/28

In the Matter of Playstow, Barley, North Hertfordshire District, Hertfordshire

DECISION

This reference relates to the question of the ownership of land known as Playstow, Barley, North Hertfordshire being the land comprised in the Land Section of Register Unit No VG. 74 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 Mr and Mrs W T Doggett claimed (among other things) to be the owners of the land or part of the land in question. No other person claimed to be the freehold owner of the land 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 26 October 1972. At the hearing Mr M T and Mrs R I Doggett and their trustees Messrs P W Butterworth and M A Chater were represented by Mr R B Hewitson solicitor of Wild Hewitson & Ihaw Solicitors of Cambridge, and Barley Parish Council were represented by Mr R J Cording their clerk. After reading some documents produced by Mr Hewitson and after some discussion, in the course of which he suggested that the registration was in some respect mistaken, on his application and with the agreement of Mr Cording I adjourned the proceedings.

The Clerk of Mertfordshire County Council with a letter dated 31 January 1973 sent to the Clerk of the Commons Johnsissiphers enclosed certified copies of the Register map as smended together with a certified copy of a supplemental map showing the area of Playstow which is now registered and the ownership of which has (as he said in the letter) get to be determined. These maps show that the land in this Register Unit is now about one sixth of that delineated on the copy of the Register map before me at the 1972 hearing.

I held the adjourned hearing at Hertford on 7 June 1978. There was no attendance; however I have a letter dated 25 May 1978 from Wild Hewitson & "Shaw in which they say that following the October 1972 adjournment, the County Council amended the Register map to show a reduced area amounting to some 2.020 acres and that their clients Mrs Doggett do not claim ownership of any of the land outlined in green on the plan enclosed. The land so enclosed appears to me to be the same as that enclosed with the said 1973 County Council letter.

In the absence of any evidence I cm not satisfied that any person is the owner of the land (meaning that delineated on the plan enclosed with the said 1973 County Council letter) and I shall accordingly direct the Hertfordshire County Council as registration authority to register Barley Parish Council as the owner of the land under section 9(3) 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 26k

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Commons Jommissioner