



In the Matter of Roadside Verges  
Brickendon Lane, including Well  
Green and Edwards Green, E. Herts  
D.

DECISION

This dispute relates to the registration at Entry No. 1 in the Ownership section of Register Unit No. CL.177 in the Register of Common Land maintained by the Hertfordshire County Council and is occasioned by Objection No. 34 made by Mr R C Gocher and Mr R E Cull, noted in the Register on 14 April 1970.

I held a hearing for the purpose of inquiring into the dispute at Hertford on ~~12 May 1986~~ 19 February 1986

The Verges forming the land in CL.177 ("the unit land") run from Brickendon Green in a northerly direction to Brickendon Lodge. One section includes Edward's Green to a point near the letter A on the Commons Register Map, and this has a title registered under the Land Registration Acts. To the south of this section the unit land continues as far as Brickendon Green, its southern point being marked on the map with the letter B, and includes Well Green.

Entry No. 1 in the Ownership Section of the Commons Register was made on the application of W & E Wallace, who are provisionally registered as owners of the part of the unit land lying between the points lettered A & B. This claim has now been withdrawn, and so far as the dispute occasioned by the Objection is concerned, the consequence will be that I shall direct the registration at Entry No. 1 to be cancelled.

The Objectors did not appear at the hearing, but there were present, Mr A G Eadie, Mr Cobb and Miss Pegrum representing the County Council. Mr Eadie produced documents of title, from which it appears that Well Green was conveyed to him and his wife in 1977. It also appears that part of the Unit Land to the north of Well Green was sold to Mrs Cobb - this may possibly be the section which has been registered under the Land Registration Acts. I understand that there are other parts of the Unit Land ownership of which is claimed by the County Council. There will in due course be a further hearing to determine the ownership of the parts of the Unit Land not registered under the Land Registration Acts. On the evidence adduced at the present hearing I am satisfied that Mr and Mrs Eadie are the owners of Well Green; that evidence is available for the Commissioner at any further hearing.



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My decision on the present hearing should I think be limited to the dispute as to the Wallace's registration of ownership:

I refuse to confirm that 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 22<sup>nd</sup> day of May 1986

*L. J. Innes Smith*

Commons Commissioner