



In the Matter of Colchester Green, Elmstead, Essex (No. 1)

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DECISION

These disputes relate to the registration at Entry No. 1 in the Land section of Register Unit No. VG 14 in the Register of Town or Village Greens maintained by the Essex County Council and are occasioned by Objection No. 31 made by Mrs M E Betts and both noted in the Register on 12 August 1970 and Objection No. 29 made by Mr A S Sayer and Ellison & Co. (Trustees) Ltd.

I held a hearing for the purpose of inquiring into the dispute at Colchester on 17 March 1981. The hearing was attended by Mr T G Wilson, solicitor, on behalf of the Elmstead Parish Council, the applicant for the registration, and by Mr A Wilde, solicitor, on behalf of the Objectors.

By a deed made 30 July 1973 Mrs Betts granted to the Parish Council the right to lay and maintain a greensward on the land the subject of Objection No. 31 for public use and recreation. By another deed on the same day Mr Sayer and Ellison & Co (Trustees) Ltd made a similar grant to the Parish Council in respect of the land the subject of Objection No. 29. Having regard to these deeds, Mr Wilde stated that he was instructed not to pursue the Objections.

In these circumstances I 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

30th

day of

March

1981

Chief Commons Commissioner