



COMMONS REGISTRATION ACT 1965

Reference No 212/U/133

In the Matter of Dobbs Weir Wharf,
Dobbs Weir, Roydon, Epping Forest District,
Essex

DECISION

This reference relates to the question of the ownership of land known as Dobbs Weir Wharf, Dobbs Weir, Roydon, Epping Forest District being the land comprised in the Land Section of Register Unit No CL171 in the Register of Common Land maintained by the Essex 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 claimed to be the freehold owner of the land in question and no person claimed 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 Chelmsford on 15 October 1978. At the hearing Roydon Parish Council were represented by Miss E Wells one of their members.

Miss Wells who was born in Roydon, has lived there all her life and has been a member of the Parish Council for upwards of 10 years, in the course of her evidence produced a letter dated 12 October 1979 from the County Archivist saying that he had examined the Roydon Inclosure Award confirmed by the Inclosure Commissioners on 26 July 1860 and the Map which forms part of it, and that the plot numbered 142 was awarded to the Churchwardens and Overseers of the Poor of the Parish of Roydon for the general use of the Hamlet of Roydon to be by them used as a wharf for landing goods. He enclosed an extract from the Award map showing this plot.

The land ("the Unit Land") in this Register Unit is on the east side of and adjoining the River Lee Navigation; to it there is access from the public road which crosses the nearby bridge. Miss Wells said (in effect):- the Unit Land is now a car park which has with the permission of the Parish Council been taken over the Lea Valley Regional Parks Authority: a body which has made the nearby part of the Lea Valley into a playing ground for sailing, picnics and so forth. A comparison of the Award map and the Register map shows Plot No 142 to be the same as the Unit Land. On the above evidence I am satisfied that the Parish Council as successors of the Churchwardens and Overseers are the owners of the land, and I shall accordingly direct the Essex County Council, as registration authority, to register Roydon Parish Council as the owner of the land under section 8(2) 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 30th — day of November 1979

A. C. Baden Fuller

Commons Commissioner