



COMMONS REGISTRATION ACT 1965

Reference No.12/U/9

In the Matter of Dovercourt Green,
Harwich, Essex.

DECISION

This reference relates to the question of the ownership of land known as Dovercourt Green, Harwich, being the land comprised in the Land Section of Register Unit No.V.G.27 in the Register of Town or Village Greens 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 the Harwich Borough Council claimed to be the freehold owner of the land in question and no other 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 Colchester on 19th December 1973.

At the hearing the Borough Council was represented by Mr. T.B.A.Moonlight, the Town Clerk.

The land in question was conveyed to the Mayor, Aldermen and Burgesses of the Borough of Harwich (hereafter referred to as "the Corporation") by an indenture made 16th May 1924 between (1) Arthur Nathaniel Garland, (2) Thomas Swynfen Parker-Jervis and Henry Richards, and (3) the Corporation. Mr. Garland was lord of the manor of Dovercourt with Harwich and conveyed the land as waste of the manor to the Corporation to be used as public walks or pleasure grounds by the inhabitants of the Borough. The land has since been so used.

On this evidence I am satisfied that the Corporation is the owner of the land, and I shall accordingly direct the Essex County Council, as registration authority, to register the Corporation 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 21st day of January 1974


Chief Commons Commissioner