



In the Matter of Five Pieces of Roadside Waste  
at Lady's Hill, Navestock, Essex.

DECISION

This reference relates to the question of the ownership of five pieces of roadside waste at Lady's Hill, Navestock, being the land comprised in the Land Section of Register Unit No CL 202 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 one 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 17 and 19 January 1978.

At the hearing the Church Commissioners for England were represented by Mr C J Vaughan-Jackson, their assistant surveyor.

Of the five pieces of land comprised in the Register Unit only one, which is part of O.S. No 0550, is claimed by the Church Commissioners. This piece of land formed part of a large estate in the parish of Navestock which was conveyed to the Ecclesiastical Commissioners for England by a conveyance made 4 April 1941 between (1) Walter Parkyns Tyser (2) Jessie Woodriff Berkeley Tyser, wife of W P Tyser (3) The Ecclesiastical Commissioners. This estate was transferred to the Church Commissioners for England by section 2 of the Church Commissioners Measure 1947.

On this evidence I am satisfied that the Church Commissioners are the owners of that part of the land, and I shall accordingly direct the Essex County Council, as registration authority, to register them as the owner of part of the land under section 8(2) of the Act of 1965.

In the absence of any evidence I am not satisfied that any person is the owner of the remaining four pieces of land and they will therefore remain subject to protection under section 9 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

6<sup>th</sup>

day of

March

1978

CHIEF COMMONS COMMISSIONER