



In the Matter of Greenstead Green, Halstead, Essex.

DECISION

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This reference relates to the question of the ownership of land known as Greenstead Green, Halstead, being the land comprised in the Land Section of Register Unit No. VG 128 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 Brigadier J T de H Vaizey 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 Chelmsford on 6 October 1978.

At the hearing Brigadier Vaizey was represented by Mr D L Colthorpe, solicitor.

It seems highly probable that the land the subject of the reference is part of the waste land of the manor of Stansted otherwise Pitchards with Stansted Leet, the lordship of which was acquired by Brigadier Vaizey's grandfather, John Robert Vaizey, in 1866 and which passed to Brigadier Vaizey by a conveyance from his father, Robert Edward Vaizey, on 10 August 1948. It is not, however, necessary to pursue this aspect of the matter, since Brigadier Vaizey and his father have received since 1938 an annual wayleave rental from the Post Office for the erection of a telephone kiosk on the land without objection from anyone claiming to be the owner. Therefore, even if the land was not conveyed with the lordship of the manor, Brigadier Vaizey now has a possessory title to it.

On this evidence I am satisfied that Brigadier Vaizey is the owner of the land, and I shall accordingly direct the Essex County Council, as registration authority, to register him 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 23rd day of October 1978

CHIEF COMMONS COMMISSIONER