



COMMONS REGISTRATION ACT 1965

Reference No.12/U/18

In the Matter of Hurst Green,Brightlingsea, Essex.DECISION

This reference relates to the question of the ownership of land known as Hurst Green, Brightlingsea, being the land comprised in the Land Section of Register Unit No.V.G.91 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 Brightlingsea Urban District 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.

There was no appearance at the hearing. It was stated by the Clerk of the Brightlingsea Urban District Council in a letter dated 15th March 1973 that the land in question was acquired by the Council on 30th September 1935 from the Public Trustee. This is not adequate proof of a title to land.

In the absence of any evidence I am not satisfied that any person is the owner of the land, and I shall accordingly direct the Essex County Council, as registration authority, to register the Brightlingsea Urban District Council as the owner of the land under section 8(3) 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