



COMMONS REGISTRATION ACT 1965

Reference No. 212/D/187

In the Matter of Land ^{by} ~~at~~ High Easterbury, ^{High}
Easter, Uttlesford D

DECISION

This dispute relates to the registration at Entry No. 1 in the Land Section of Register Unit No. CL 464 in the Register of Common and maintained by the Essex County Council and is occasioned by Objection No. 70 made by E J Luckin and noted in the Register on 30 September 1970.

I held a hearing for the purpose of inquiring into the dispute at Chelmsford on 17 February 1981. The hearing was attended by Mr R Wicks, Solicitor, appearing on behalf of Mr Luckin.

The registration was made on the application of Mr John C Jenkins, who did not appear. There are no rights registered, and in the absence of evidence to support the registration, I refuse to confirm it.

Mr Wicks applied for costs for his client. On 14 March 1980 his firm wrote to Mr Jenkins to the effect that the land is in Mr Luckin's ownership and has never been common land, and offering inspection of the title deeds: and the letter ^{insisted} ~~insisted~~ Mr Jenkins to withdraw his application. To this letter there was apparently no response and I shall order payment by Mr Jenkins of Mr Luckin's costs to be taxed on Scale 3.

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 24 March 1981

L. J. Morris Smith

Commons Commissioner