



In the matter of strips of land forming part of Royden Mead, Epping Forest D

DECISION

This reference relates to the question of the ownership of land described above being the part of the land comprised in the Land Section of Register Unit No. CL 314 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 Mr D M Camp and Mr M Camp claimed to be the joint owners 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 30 October 1984. At the hearing the claimants were represented by Mr R N Taylor, Solicitor.

The land comprised in this Unit, CL.314 ("the Unit land") is a section of Royden Mead, which lies between the River Stort and the railway line at the southern boundary of the land. Part of the land is registered in the ownership of Lord Aldenham: this part comprises a number of strips running from north to south, and the remainder, comprising 7 similar strips lettered A to G on the plan attached to the Register Map, has no registered owner and is the subject of this inquiry.

Mr Murray Camp gave evidence. He and his brother, David Morris Camp, the claimants to joint ownership, have farmed Royden Mead Farm in partnership for the last 19 years, succeeding their father who had farmed the farm since 1920. The Unit land is Lammas land. By a tenancy agreement, undated, but entered into about 1965 Lord Aldenham's executors granted the Camps a yearly tenancy of lands which included the strips of the unit land owned by Lord Aldenham. During the close period in the last 19 years the claimants have cut the hay over the whole of the unit land as did their father, and during the open period have grazed their animals over the whole of the land. They have paid no rent for their use of strips A to G nor has any objection or consent to their use been made or sought.

The only right over the unit land is a grazing right during the open period registered by Lord Aldenham in respect of Eastend Farm.

It appears that there is a caution against first registration of title in the Land Registry, but no objection or opposition to the claim by the Camps was made at the hearing: and on the evidence I am satisfied that they are the owners of the strips A to G.

I shall accordingly direct the Essex County Council, as registration authority, to register them as the owners 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

10 January 1985

*L. J. Morris Smith*

Commons Commissioner