



COMMONS REGISTRATION ACT 1965

Reference No 212/U/146

In the Matter of The Playfield,
Chappel, Colchester District, Essex

DECISION

This reference relates to the question of the ownership of land known as The Playfield, Chappel, Colchester District being the land comprised in the Land Section of Register Unit No VG113 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 Mrs D M Brome claimed (letter of 5 July 1979) that she is the owner. No other person claimed to be the freehold owner of the land in question or 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 October 1979. At the hearing Mrs Brome was represented by Mr M G Wilson solicitor with Thompson Smith and Puxon, Solicitors of Colchester.

According to the Register-map the land is about 180 yards long and for the most part about 40 yards wide, and extends from the railway on the east to the road leading southwards out of the Village, on the west, to which road it has a comparatively small frontage.

Mr Wilson in the course of his evidence produced the documents listed in the Schedule hereto. By such documents, the title of Mrs Brome is regularly deduced, and I identify the Playfield therein mentioned with the land which is the subject of this reference.

I am therefore satisfied that Mrs Brome is the owner of the land and I shall accordingly direct the Essex County Council as registration authority to register Mrs Dorothy Mary Brome of Stanfra, Chappel, near Colchester 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.

SCHEDULE

- (1) 3 April 1973
- Assent by which Lloyds Bank Limited as personal representatives of Charles Brome assented to the vesting in Mrs D M Brome of (1) the bungalow Stanfra and (2) The Playfield subject as regards (2), to the rights of the inhabitants of the Parish to use the same for amusement and recreation and for cricket.



- 2 -

SCHEDULE (continued)

- (2) 3 November 1972 Copy probate of the will of Charles Brome (he died 24 July 1972).
- (3) 11 August 1932 Conveyance by which Mr H M Saunders conveyed to Mr C Brome (1) the bungalow Stanfra, (2) land to the north containing 1 acre 28 perches, (3) land on the other side of the railway.
- (4) 1934 Abstract of title of H M Saunders commencing with a conveyance dated 29 April 1905.
- (5) 12 February 1980 Minute of a judgment pronounced by Mr Justice Fry, declaring that the inhabitants of Chappel are entitled to use The Playfield at all times and at their free will and pleasure, for exercise, amusement, and recreation, and for cricket and all other lawful village sports, games and pastime. Also a transcript of the judgment of the Master of the Rolls, Lord Justice James and Lord Justice Lush dismissing an appeal.

Dated this 30th - day of November 1979

a. a. Baden Fuller

Commons Commissioner