

In the Matter of Bernards Heath, St. AlbansDECISION

This reference relates to the question of the ownership of land described above being the land comprised in the Land Section of Register Unit No. CL.34 in the Register of Common Land maintained by the Hertfordshire 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 Trustees of Earl Spencer's family trusts ("the claimants") claimed to be the freehold owners of the land in question ("the unit land"). 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 Hertford on 29 January 1987.

At the hearing Mr I G Barnett, solicitor, appeared on behalf of the claimants. There was no appearance by any other person claiming ownership.

At a hearing on 18 February 1986 concerning the ownership of another portion of Bernards Heath (Ref: 216/U/66), the claimants claimed ownership and on the evidence adduced I was satisfied that they were the owners. This evidence is set out in the Decision dated 8 May 1986 and is equally applicable to the present claim. I am accordingly satisfied that the claimants - John Chandos-Pole, John Anthony Floyd and Guy Hugo Southern - are the owners of the unit land, and I shall accordingly direct the Hertfordshire 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 this 11<sup>th</sup> day of March 1987

*L. J. Morris Smith*  
Commons Commissioner.