



COMMONS REGISTRATION ACT 1965

Reference No 16/U/101

In the Matter of Carters Pond,
Ashwell, North Hertfordshire
District, Hertfordshire

DECISION

This reference relates to the question of the ownership of land known as Carters' Pond, Ashwell, North Hertfordshire District being the land comprised in the Land Section of Register Unit No CL. 143 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 Ashwell Parish Council claimed (letter dated 2 May 1973) ownership and Henry Thompson & Sons, Solicitors of Grantham (acting for a client who owns Chestnut Cottage) sent (with a letter dated 23 May 1973) a copy of a deed between the Parish Council and Miss J R Tompkins and others by which the Parish Council after reciting that they owned the land now in question in fee simple, granted various rights over it for the benefit of adjoining land. No person claimed to be the freehold owner of the land 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 Hertford on 7 June 1978. At the hearing Mrs V M Carlton of Chestnut Cottage, No 12 (formerly No 1) Swan Street attended in person.

Mrs Carlton said that the 1973 letter was written on her behalf. On the land in question there is a chestnut tree around which the Parish Council have erected a seat. It is grass land for which the name "Pond" is inappropriate. She did not claim ownership.

In the absence of any evidence I am not satisfied that any person is the owner of the land, and it will therefore remain subject to protection under section 9 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 26th day of June — 1978

ae. Baden Fuller