



COMMONS REGISTRATION ACT 1965

Reference No. 16/U/61

In the Matter of manorial waste  
in Great Gaddesden, Dacorum District,  
Hertfordshire

DECISION

This reference relates to the ownership of lands known as manorial waste in Great Gaddesden, Dacorum District being the land comprised in the Land Section of Register Unit No. CL198 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 Rev Sir John Halsey Bt. claimed (his solicitors' letter of 16 November 1972) that the ownership of the land in question is vested in Sir John Halsey and is considered as belonging to the Trustees of the Gaddesden Place Estate as part of the Estate conveyed to them in 1961; and the Clerk of the Hertfordshire County Council said (letter dated 4 April 1973) that the land was claimed by Rumball and Edwards on behalf he believed, of the Halsey family. No other person claimed to be the freehold owner of the land 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 Hertford on 6 June 1978. At the hearing the Reverend Sir John Walter Brooke Halsey Baronet and Mr Nicholas Guy Halsey were represented by Mr A H Hemsley solicitor of Halsey Lightly & Hemsley, Solicitors of London and Guildford, and Mr F E Elding of Six Tunnels Farm, Gaddesden Row attended in person.

The land ("the Unit Land") in this Register Unit comprises seven pieces. Two of these pieces are two strips ("the Gaddesden Row Strips") each about 2 miles long on opposite sides of, and open to a public motor road; this road with or without the strips is known as Gaddesden Row, and extends from a T road junction near Corner Farm on the southeast to the small built-up area (also called Gaddesden Row including the Plough Inn) on the northwest. Another two of these pieces are strips ("the SW strips") each about  $\frac{1}{2}$  mile long on opposite sides of and open to the road running southwest out of the said built-up area, their southwest end being at points near Hatch's Farm. Another two of the pieces are strips ("the A Strips") each about 200 yds long on opposite sides of the road running north out of the said built-up area, being a little south of Bullingdon Farm. The remaining piece is a small triangular area near this farm.

At a hearing ("the Bovingdon hearing") before this one relating to land at Bovingdon oral evidence was given by Mr P A Turner chartered surveyor of Rumball Sedgwick & Edwards, Chartered Surveyors of St Albans who have acted as Agents for the Halsey family in relation to their land at Gaddesden (Mr Turner has been personally concerned since 1950), and by Mr N G Halsey who claimed ownership. I treated the evidence, though given by them at the Bovingdon hearing, so far as relevant, as given at this hearing; additionally they gave further evidence at this hearing, so that in the result they or one of them produced (as being relevant to the ownership of the Unit Land) the documents listed in the Schedule hereto.



Mr Turner in the course of his evidence pointed out on map (17) the part of the Unit Land to which documents (2), (3), (4), (5), (6), (7), (11) and (14) related. No 1961 conveyance such as is mentioned in the 1972 letter was produced, although Mr Turner mentioned that the Trustees owned adjoining lands.

Mr Elding in the course of his oral evidence explained that he owned some fields on the east side of the SW strips (OS Nos 177, 208). He said that he thought that these strips belonged to the Ashridge Estate (to the west). He was concerned that he should be able to drive his cattle from these fields to the bottom of the Lane  $2\frac{1}{2}$  miles away.

On the day after the hearing I inspected the Unit Land.

Under Schedule documents Nos (1), (8), (9), (12), (13) and (16) the title of Mr N G Halsey to the Manor of Great Gaddesden is regularly deduced. The other Schedule documents show that parties treated Mr Halsey or his predecessors as owners of various parts of the Unit Land. On my inspection, I was satisfied that the seven pieces of land which together make up the Unit Land are so situated near enough to each other for me to treat acts done on any part as referable to the whole. I did not understand Mr Elding ~~who did not~~ claim ownership of any part for himself, and his reference to the Ashridge Estate does not I think cast any doubt on the conclusion which I would have reached if he had not given evidence, that the ownership of Mr N G Halsey has been established.

I am therefore satisfied that Mr Halsey is the owner of the land and I shall accordingly direct the Hertfordshire County Council as registration authority to register Mr Nigel Guy Halsey of Little Stocks Cottage, Aldbury, near Tring 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  
(documents produced)

No.	DATE	DESCRIPTION
(1)	8 May 1928	Conveyance by which Messrs B R C Tower, L H Cust and H J Talbot as Trustees of the Will of A W B Earl Brownlow (he died 17 March 1921) conveyed to Sir W J Halsey the Manor or reputed Manor of Great Gaddesden (except Hedges Wood Common and Waters End Moor).
(2)	27 February 1936	Wayleave agreement by Sir W J Halsey "Lord of the Manor of Great Gaddesden" with Chesham Electric Light & Power Co. Ltd. as to land at Gaddesden Row (near Chequers PH and Elm Tree Farm).



- 3 -

No.	DATE	DESCRIPTION
(3)	27 January 1937	<sup>(copy)</sup> Ditto land at Gaddesden Row by Elm Tree Farm (south of the above).
(4)	14 August 1939	<sup>(original and copy)</sup> Ditto land near Hedges Wood Common and Widmore Farm.
(5)	10 August 1942	Consent by Sir W J Halsey to Postmaster General placing works on grass verge leading to school-house and council houses at Great Gaddesden.
(6)	7 June 1948	Ditto, a grass verge continuation of existing route near Elm Farm.
(7)	2 March 1950	Agreement by which Sir W J Halsey as Lord of the Manor of Great Gaddesden gave Hemel Hempstead Rural District Council permission to lay water main near Plough Inn.
(8)	18 November 1950	Probate of the Will of Sir W J Halsey (he died 2 September 1950) to Sir Thomas Edgar Halsey Bt. and Mr W E Halsey.
(9)	17 February 1951	Assent by Sir T E Halsey and Mr W E Halsey as such personal representatives in favour of Sir T E Halsey of "the Manor or reputed Manor of Great Gaddesden".
(10)	19 September 1958	Letter from Mr N H Ward of Lovel Smeathman & Son Solicitors of Hemel Hempstead to Sir T E Halsey as to the Manor of Great Gaddesden.
(11)	26 April 1960	Agreement by which Sir T E Halsey as Lord of the Manor of Great Gaddesden granted Mr W Seymour of Seymour Motors licence to make up roadways near his premises (by the Plough Inn).
(12)	14 January 1971	Probate of Will of Sir T E Halsey (he died 30 August 1970) to Sir John Walter Brooke Halsey and Mr W E Halsey.
(13)	18 January 1971	Assent by Sir John W B Halsey and Mr W E Halsey in favour of Sir John W B Halsey of the Manor or reputed Manor of Great Gaddesden.
(14)	9 January 1973	Letter from Rumball and Edwards agreed by Mr K J Dunbar as to maintenance of strip opposite Old Forge.
(15)	28 February 1974	Deed of Gift by Sir John W B Halsey to Mr N G Halsey of (1) 128.525 acres of land fronting on the road from Nettleden to Water End (2) dwelling-house known as The Golden Parsonage, and (3) the Manors or reputed Manors of Hemel Hempstead and Great Gaddesden.



- 4 -

No.	DATE	DESCRIPTION
(16)	26 November 1976	Deed by which Mr N G Halsey granted to Mr P C Healy rights of way over a small piece of land near to land of his at Gaddesden Row.
(17)	June 1968	Plan (PAT/5) of Gaddesden Row showing waste of the Manor between Corner Farm and Ledmoor Lane made by Rumball and Edwards.
(18)		Explanatory map (PAT/4) based on OS 1/2500 showing Unit Land coloured red made by Rumball Sedgwick and Edwards.

Dated the 27<sup>th</sup> day of August 1978.

*C. A. Baines J.L.C.*

Commons Commissioner.