



COMMONS REGISTRATION ACT 1965

Reference No.16/U/40

In the Matter of Rosehall Green,  
Sarratt, Hertfordshire.

DECISION

This reference relates to the question of the ownership of land known as Rosehall Green, Sarratt, being the land comprised in the Land Section of Register Unit No.C.L.59 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 Sarratt Parish Council claimed to be the freehold owner of the whole of the land in question and Mr. C.P. Poynter claimed to be the owner of a small part of it. 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 13th March 1973.

At the hearing the Sarratt Parish Council was represented by Mr. K.A. Gosney, Clerk of the Watford Rural District Council, and Mr. Poynter appeared in person.

Mr. Poynter, who owns and lives at Rustic Cottage, adjoining Rosehall Green, said that the part of the land in question was conveyed to him when he bought his home. He produced his conveyance, which has on it a large-scale plan showing by measurements the exact area of the land conveyed, the adjoining land to the east being marked as "Rosehall Green". The register map, on the other hand, is on a much smaller scale and I find it impossible to identify on it with any precision the land included in Mr. Poynter's conveyance. However, in the register the land the subject of the registration is described as "that area of land called Rosehall Green". These words are not apt to describe any part of the land conveyed to Mr. Poynter. I have therefore come to the conclusion that the Register Unit does not comprise any part of Mr. Poynter's land.

The Parish Council has employed a man to keep this land tidy for many years. This in itself is not sufficient evidence of ownership, since it is not adverse to the interests of anyone with a legal title to the land.

On this evidence I am not satisfied that any person is the owner of the land. It will therefore remain under the protection provided for by 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 23rd day of March 1973

  
Chief Commons Commissioner