



COMMONS REGISTRATION ACT 1965

Reference No 16/U/73

In the Matter of The Chalk Pits,
Cottered, East Hertfordshire District,
Hertfordshire

DECISION

This reference relates to the question of the ownership of land (in two pieces) known as The Chalk Pits, Cottered, East Hertfordshire District being the land comprised in the Land Section of Register Unit No CL. 102 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 no person claimed to be the freehold owner of the land in question and no 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 6 July 1976. At the hearing Mr G A J Magger on whose application the registration was made, attended in person.

Mr Magger said (in effect):- His application was based on the Cottered Inclosure Award made in 1811: by it these two pieces were allotted to the Surveyors of Highways as pits for the maintenance of the roads. Of the two pieces, the one on the southwest, near Lodge Barn, was most used as a pit: flints for the roads, chalk for the farmers' fields and for whitewash on cottages: in his father's time children picniced there: in the 1939-45 war, the Home Guard used it for target practice; then it was used as a rubbish tip (locals free, anybody else for a nominal fee to the Parish Council); in 1962 the road was widened and the site filled up, so it has ever since provided hay and appears (except for a hedge) much like the adjoining meadow. The other piece on the northeast (Stocking Hill) was not used so much as a pit; in about 1965 it was ploughed and now has crops. He would like the Village to get some benefit from these lands (together they contain about half an acre and are of some value agriculturally); however he could offer no evidence of ownership.

In the absence of any evidence I am not satisfied that any person is the owner of the land and it will therefore be 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 9th day of July

1976

a. a. Baden Fuller