

COMMONS REGISTRATION ACT 1965

Reference Nos. 216/D/37 216/D/38

In the Matter of Waterside, London Colney, St Albans City and District, Hertfordshire

## DECISION

These disputes relate to the registration at Entry No. 1 in the Land Section of Register Unit No. VG 17 in the Register of Town or Village Greens maintained by the Hertfordshire County Council and are occasioned by Objection No. 29 made by Redland-Inns Gravel Ltd and noted in the Register on 22 January 1970 and by Objection No. 73 made by Mr Arthur Sydney Wilshire and noted in the Register on 22 September 1970.

I held a hearing for the purpose of inquiring into the disputes at Hertford on 28 October 1981. At the hearing (1) London Colney Parish Council on whose application the registration was made, were represented by Mr H C Gibbons their clerk, (2) Mr M P Coleman and Mrs E N M Coleman as successors of Redland-Inns Gravel Ltd attended in person; and (3) Mr A S Wilshire was represented by Mr W J G Macrory solicitor of Parker & Wilshire, Solicitor of New Barnet.

The land in this Register Unit is in three pieces each situated a short distance from the other as clearly appears on the Register map. The grounds of Objection No. 29 are (in effect) that the western of the pieces ("the Redland-Inns Objection Land") is the freehold of the Objectors and none is common land. The grounds of Objection No. 73 are (in effect) that the southern of these pieces ("the Wilshire Objection Land") is not a town or village green or common land having regard to a conveyance of 14 July 1930 to the Objector's father and to the acts done by him between the date of the conveyance and his death on 5 August 1969.

Mr Gibbons said (among other things) that the Parish Council having given this matter consideration now felt they could not support the registration of the Redland-Inns Objection Land and the Wilshire Objection Land. In these circumstances I said I consider that I could except possibly as regards any claim for costs dispose of these disputes without hearing the evidence which Mr Macrory said was available in support of Mr Wilshire's Objection or hearing any evidence from Mr & Mrs Coleman and concludes that the registration of the said Objection Land was not properly made.

After some discussion about costs and a short adjournment, Mr Macrory and Mr Gibbons said they were agreed that the Parish Council would pay to Mr Wilshire his costs of these proceedings limited to £150 plus VAT if applicable.

There has been no objection to the registration of the northern of the said three pieces, and the registration had originally been limited to it, it would have become final under section 7 of the 1965 Act; I consider I should produce the same result.



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For the above reasons I confirm the registration with the modification that there be removed from the register two of the three pieces of land which together make up the land in this Register Unit being the pieces in this decision called the Redland-Inns Objection Land and the Wilshire Objection Land.

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.

a a Baden Falle

Dated this 17th — day of November 1981

Commons Commissioner