



In the Matter of four pieces of land at
Knowl Hill, Hurley, Windsor and Maidenhead
District, Berkshire

DECISION

This reference relates to the question of the ownership of part of one of the four pieces of land at Knowl Hill, Hurley, Windsor and Maidenhead District. The said four pieces are the land comprised in the Land Section of Register Unit No. CL19 in the Register of Common Land maintained by the Berkshire County Council. The largest piece ("No. 1") is southwest of the Bath Road; another piece ("No. 2"), about a quarter the area of No. 1, is northeast of and adjoins this Road (opposite St Peters Church); another piece ("No. 3") is a little smaller than No. 2 and is southwest of and near to No. 1; the remaining piece ("No. 4") is about the same size as No. 3 and is a short distance north of No. 2. Under the Land Registration Acts 1925 to 1971 the title to (a) No. 1, (b) No. 2, (c) No. 3 (d) the southern and largest part of No. 4, and (e) another part of No. 4 near but not including its northern end, are respectively registered under title nos. (a) BK38236, (b) BK33581, (c) BK38236, (d) BK59685 and (e) BK96710. The part of No. 4 to which this reference relate ("the Referred Land") is the north end of No. 4 being the part which is not so registered under the 1925 to 1971 Acts and 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 Windsor on 18 July 1978. At the hearing Hurley Parish Council were represented by Mr G Perrott, their clerk.

Mr Perrott said (in effect):-

The Parish Council could offer no evidence of ownership; as clerk to the Parish Council he had written to Mr D J Keeley of Kiln Cottage as being possibly interested in No. 2 and to Miss E Baker of Knowl Hill Farm as being possibly interested in No. 1 and No. 3. I have had a letter dated 13 July 1978 from Simons & Sons, chartered surveyors of Henley on Thames in which she (Miss E Barker) claimed ownership of No. 1 and No. 3 under title No. 38236. Mr Perrott suggested that I might give Mr Keeley an opportunity of substantiating a claim.

After the hearing, Mr Keeley handed my clerk letters dated 10.7.78. and 17.7.78. from which I infer that he is only interested in the land registered under title No. BK33581; so I consider no useful purpose would be served by adjourning the proceedings to enable him to adduce evidence about the Referred Land.



- 2 -

In the absence of any evidence I am not satisfied that any person is the owner of the Referred 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 has been 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 6th day of October 1978

A. C. Baden Fuller

Commons Commissioner