



COMMONS REGISTRATION ACT 1965

Reference Nos 202/D/38  
to ~~48~~ inclusive  
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In the matter of Winterhill and  
Cock Marsh, Cookham, Windsor and  
Maidenhead District, Berkshire

DECISION

These 11 disputes relate to the registrations at Entry Nos 1 to 9 inclusive and Nos 11 to 15 inclusive in the Rights Section of Register Unit No CL 64 in the Register of Common Land maintained by the Berkshire County Council and are occasioned by Objection Nos 49, 53, 59, and 61 made by Messrs George Tarrant Copas and Thomas Henry Copas and noted in the Register on 8 December 1970 and by Objection Nos 94, 101, 108, 115, 121, 126, 133, 136 and 140 and made the National Trust and noted in the Register on 17 December 1970 and No 184 also made by the National Trust and noted in the Register on 28 July 1972.

I held a hearing for the purpose of inquiring into the disputes at Windsor on 20 July 1978. At the hearing, (1) National Trust for Places of Historic Interest or Natural Beauty (the Land Section Entry was made on their application and in the Ownership Section they are registered as owners of all the Land) were represented by Mr P R Fitzgerald solicitor of Walters Vandercom & Hart Solicitors of London, (2) Messrs T H and G T Copas (Entry No 1 was made on their application) were represented by Mr J Hanney solicitor of Eric P Hanney & Co, Solicitors of Pinner, Middlesex (3) Mr Lewis James Ricketts (Entry No 4 was made on his application) was represented by Mr P Ross articled clerk with Allan James and Co solicitors of High Wycombe (4) Mr Robert Newman (Entry No 8 was made on his application) and Mr Cyril Newman (Entry No 9 was made on his application) also represented by Mr P Ross.

Except as regards the registration at Entry No 12 (Mr R N Caught), there was no evidence that anyone other than the applicants (and in one case a successor in title as belowmentioned) was concerned to support the registrations. Mr Fitzgerald and Mr Hanney having said that the Objectors were agreeable to my dealing with the Entry Nos 1-9, 11 and 13 to 15 as set out below, I am only concerned to record what was relied on as showing the agreements of the applicants (or their successor in title).

As regards the registration at Entry No 1 made on the application of Messrs G T and H T Copas as modified pursuant to a letter dated 26 September 1972, being a right to graze 100 cattle, 300 sheep and 10 horses and to excavate chalk and flint on Cock Marsh only:- Mr Fitzgerald said that the National Trust objection was withdrawn; so I confirm that the registration at Entry No 1 without any further modification.

As regards the registration at Entry No 2 made on the application of Mr R A C Simmonds as modified pursuant to his letter dated 17 October 1972, being a right attached (only) to Woodlands Farm to pasture 100 cattle and estovers:- Mr Fitzgerald produced a document signed by Mr Simmonds by which he agreed to the further modification below set out. Accordingly I confirm the registration at Entry No 2 as modified pursuant to the said 1972 letter with the further modification that column 4



read: "To pasture 100 head of cattle and estovers limited to dead wood and nut coppice over the whole of the land comprised in this register unit and in register units numbered CL 58, CL 61, CL 62, CL 63, and CL 65.

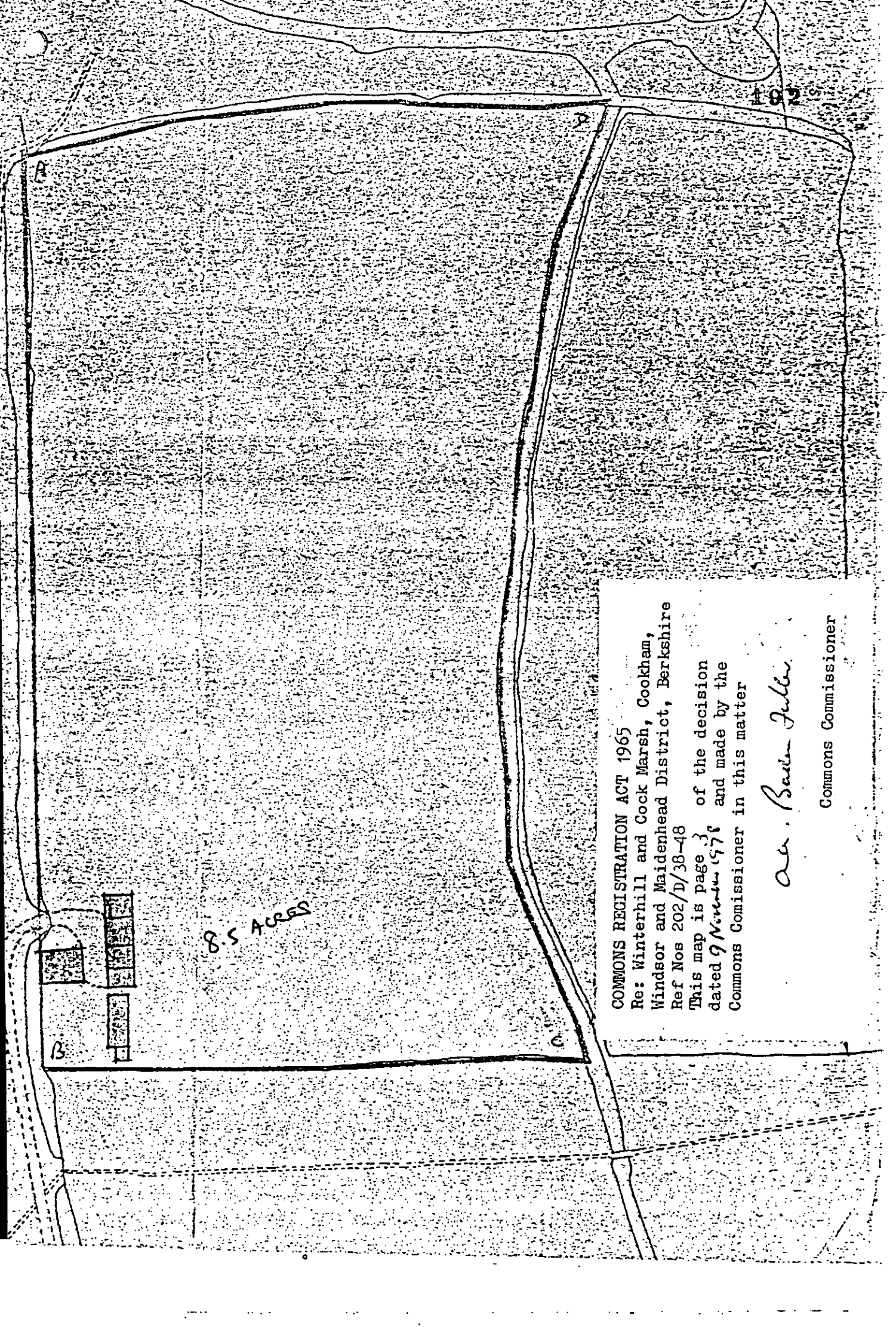
As regards the registrations at Entry Nos 3, 5 and 11 made on the application respectively of Mrs M M Bird, Mr P H M Wood and Mrs O M Wood:- I have a letter of 23 June 1978 from Giddy & Giddy Estate Agents of Maidenhead and elsewhere enclosing a copy of a letter of 2 August 1973 to the County Council in which they say in effect that Mrs M Martin Bird, Mrs O Manners Wood and Mr P Manners Wood withdraw any registration made under the 1965 Act. So I refuse to confirm the registration at Entry No 3, 5 and 11.

As regards the registration at Entry No 4 made on the application of Mr L J Ricketts to pasture 150 cattle:- Mr Fitzgerald produced a document signed by Mr Ricketts and another by which he in effect invited me to reduce the headage of stock. So (Mr Ross being agreeable) I confirm the said registration at Entry No 4 with the modification that in column 4 for the words "pasture 150 cattle" there by substituted "pasture 60 head of cattle".

As regards Entry No 6 made on the application of Mr J R Ewers and Mr D B Ewers of a right held in gross to graze 40 cattle and 100 sheep:- Mr Fitzgerald produced a document signed by them and others in which they (in effect) invited me by reference to the map attached to modify the registration as below set out. A copy of the said map (scale 1/1250) to which I have added the letters ABCD and EFGH to identify the red verge line on the original forms (two overlapping parts) pages 3 and 4 of this decision. So I confirm the registration at Entry No 6 with the modification that column 4 be:- "To graze 18 head of cattle or 72 head of sheep over the whole of the land comprised in this register unit and register units numbered CL 61, CL 65 and CL 66 provided that the right to graze sheep is limited to this register unit and CL 61" and that in column 5 for the words "Held in gross" be substituted words (to be chosen by the County Council as registration authority by reference to such map as they think to provide) identifying the land to which the said right is attached with that shown by the letters ABCD and EFGH on the map being pages 3 and 4 of this decision.

As regards the registration at Entry No 7 made on the application of Mr G G L Jackson to graze 2 ponies or 2 cows or 2 donkeys or 5 sheep or 5 goats or any other domestic animal of equivalent number, estovers and to take turf:- In the Register it is noted that the person now entitled to the right is Cynthia Audrey Romola Vent. Mr Hanney said that Mr Jackson was the owner of Bridgwater on the River, that he sold to Mr and Mrs B Vent, and recently they have resold to the present owners Mr and Mrs Watts. Mr Fitzgerald produced a document signed by Jacqueline Watts ("succeeded to the rights registered under Entry No 7") in which she in effect invited me to modify the registration as below set out. So I confirm the registration at Entry No 7 with the modification that column 4 reads "To graze one pony or one cow, or one donkey or two sheep or two goats and the right to take estovers limited to the right to take dead wood over the whole of the land comprised in this register unit"; (note, the claim to take turf should be deleted).

As regards to the registration at Entry No 8 made on the application of Mr Robert Newman:- Mr Fitzgerald produced a document signed on his behalf inviting me to delete the entry. So (with the agreement of Mr Ross) I refuse to confirm the registration at Entry No 8.



8.5 ACRES

COMMONS REGISTRATION ACT 1965

Re: Winterhill and Cock Marsh, Cookham,  
Windsor and Maidenhead District, Berkshire  
Ref Nos 202/D/38-48

This map is page 3 of the decision  
dated 9 November 1978 and made by the  
Commons Commissioner in this matter

*A. B. B. B. B.*

Commons Commissioner



8.5 ACRES

1 ACRES

6

SCALE 1/1250

COMMONS REGISTRATION ACT 1965  
 Re: Winterhill and Cock Marsh, Cookham,  
 Windsor and Maidenhead District, Berkshire  
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 This map is page 4 of the decision  
 dated 9 March 1978 and made by the  
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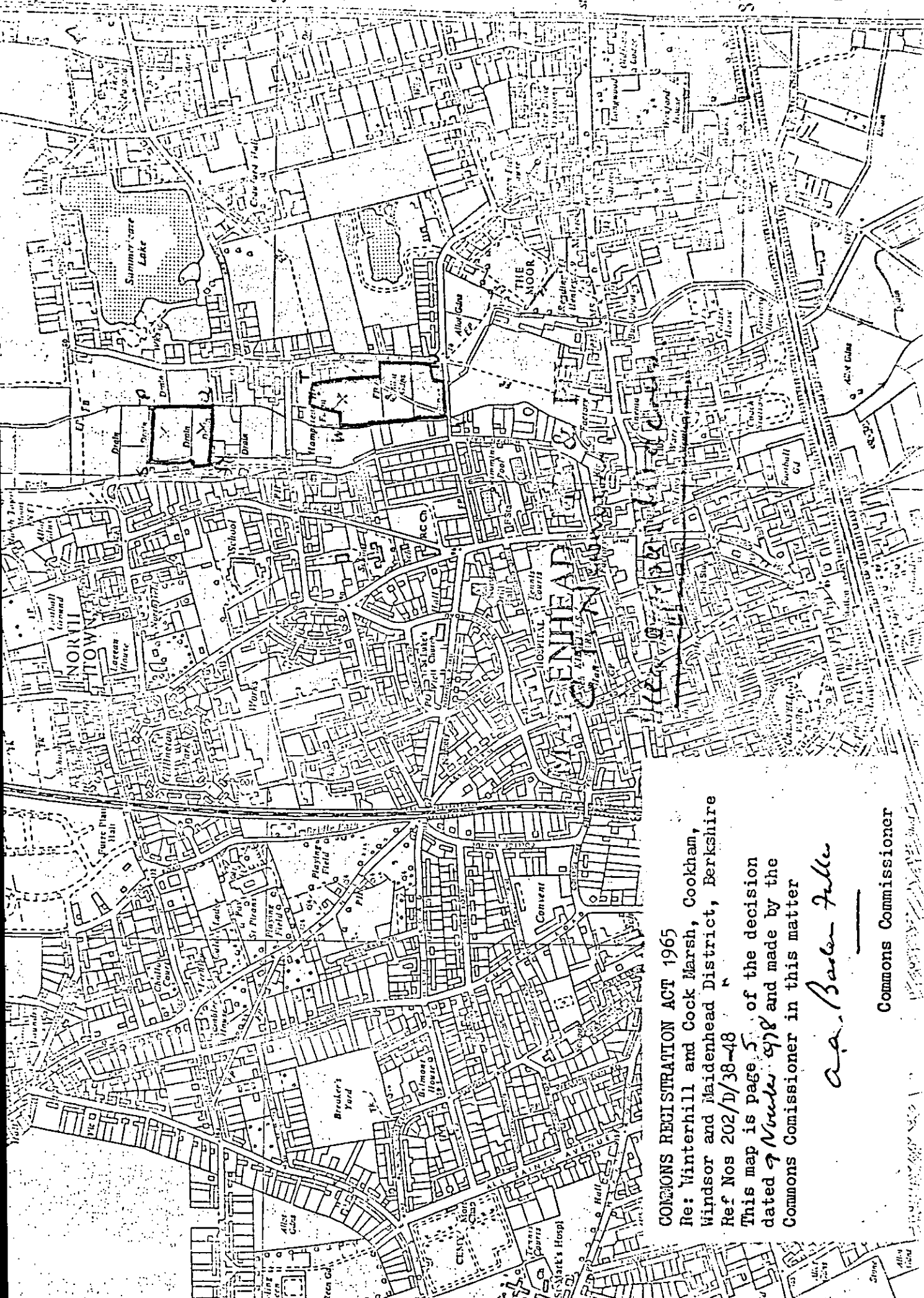
*Alan Southwell*

Commons Commissioner

LITTLE FARM

HOLDING NO 02/072/0132

FIELDS ACREAGE: 8.5 YARD ACREAGE:



COMMONS REGISTRATION ACT 1965

Re: Winterhill and Cock Marsh, Cookham,  
Windsor and Maidenhead District, Berkshire  
Ref Nos 202/D/38-48

This map is page 5 of the decision  
dated 9 November 1978 and made by the  
Commons Commissioner in this matter

*a.a. Barber Fuller*

Commons Commissioner



As regards the registration at Entry No 9 made on the application of Mr C Newman to graze 20 cattle:- Mr Fitzgerald produced a document signed on behalf of Mr C Newman and by others in which they (in effect) invited me by reference to the map attached to modify the registration as below mentioned. A copy of the said map (scale 1/10560) to which I have added the letters PQRS and TUVW to identify the green verge line on the original is page 5 of this decision. So I confirm the registration at Entry No 9 with the modification that in column 4 there be added at the end and register units numbered CL 61, CL 62, CL 65 and CL 66, and that in column 5 for the words "Held in gross" be substituted words (to be chosen by the County Council as registration authority by reference to such map as they think fit to provide) identifying the land to which the right is attached with that shown by the letters PQRS and TUVW on the map being page 5 of this decision.

As regards the registrations at Entry Nos 13, 14 and 15 made on the application respectively of Mr W E Edwards, Mr R S Prior and Mrs M E K Mahar and Miss I C Reading respectively to graze (No 13) 50 cattle and 50 sheep (No 14) 50 milking cows and 70 followers and (No 15) 10 cattle such last mentioned registration having been modified pursuant to applicant's solicitor's letter dated 31 December 1970:- At the request of Mr Fitzgerald and with the agreement of Mr Hanney, I confirm these registrations without any modification (or as to No 15 without any further modification).

As regards the registration at Entry No 12 made on the application of Mr R N Caught of a right to graze 150 cattle and 150 sheep attached to land at Hillgrove, Highwood and Grange Farm:- The considerations relating to this registration are the same as those relating to the registration at Entry No 10 in the Rights Section of Register Unit No CL 65 which considerations are set out in my decision dated 30 October 1978 re Widbrook Common reference Nos 202/D/25-37. It having been agreed by those present at this hearing that the evidence mentioned in such decision should be treated as applicable also to this Register Unit, I confirm the registration with the modification that in column 4 for the words "150 cattle and 150 sheep" be substituted "150 cattle and 84 sheep" and that column 5 be altered so as to exclude from the land therein described all land in the parish of Bisham and in particular exclude the land on the map annexed to the application dated 8 January 1969 and made by Mr Robert N Caught and being that west of Cookham Dean.

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 7th day of November — 1978

*a. a. Baden Fuller*

Commons Commissioner

*met  
from  
Alan Baden Fuller  
8 Feb 1979*

*that at the end of this column be added 'and in register unit Nos CL 61, CL 62, CL 63 and CL 65' (with 10/2)*

*Corrected by adding the above words to line 29 on page 6*

*a. a. Baden Fuller*

*26 March 1979*