

HERTFORDSHIRE COUNTY COUNCIL

COMMONS ACT 2006 AND REGULATION 43 OF THE COMMONS REGISTRATION (ENGLAND) REGULATIONS 2014

THERFIELD COMMON

Declaration of Entitlement to Right of Common

DECISION NOTICE

An application dated 15th February 2018 was made under Regulation 43 of The Commons Registration (England) Regulations 2014 (“the Regulations”) by Robert Law. The application was to declare entitlement to a right of common and amend the Register for Therfield Common (CL092) on the grounds specified in Regulation 43 of the Regulations.

Hertfordshire County Council as the Commons Registration Authority (“CRA”) determined the application and considered whether Mr Law is the owner of the freehold or a leasehold estate in any such land to which a right of common is attached.

The following evidence was considered in accordance with Regulation 43(2) & (3):

- A conveyance dated 5th February 1971 made between the executors of John Rowland Abbey and Frank Litchfield for land at Thrift Farm, Coombs Farm and Fox Covert;
- Land Registry Title HD437885 and HD567945;
- A rural land register map dated 13th May 2015 provided by Robert Law;
- Register for Therfield Common, CL092 – entry 2 sheet 2 of the Rights Section;
- MAF73 Evidence from The National Archives (73/18/8).

The CRA also previously had regard to:

- The Transcript of the Award of the Valuer in the matter of the Regulation of Therfield Heath and Greens in the Parish of Therfield in the County of Hertford dated 19th April 1893 and confirmed by the Board of Agriculture on 21st April 1893, as amended by the Board of Agriculture and Fisheries on 11th September 1911, and related maps.

Calculation of apportionment

The sum to calculate the apportionment of rights is as follows:

$\frac{\text{Rights}}{\text{Original area}} \times \text{current area} = \text{apportioned rights (rounded down)}$

The extent of Thrift Farm in 1971 was 831.55 acres. 525.48 acres of this farm was in Therfield. The register grants the right to graze 574 sheep. The extent of Thrift Farm now owned by Robert Law is 436.35 acres.

$\frac{574}{525.48} \times 436.35 = 476.64$ i.e. 477 sheep

Decision

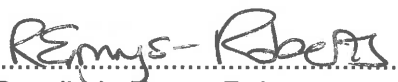
The CRA confirmed that Robert Law is the registered proprietor of part of Thrift Farm in entry No 2 of the Rights Section of Register Unit CL 092 and is entitled to a declaration of entitlement to a right of common to graze 477 sheep by virtue of Regulations 43 of the Regulations. The register should therefore be amended accordingly.

The application is granted.

A copy of the decision can be found at

<http://www.hertsdirect.org/envroads/environment/countryside/walkingandridding/commongreens/>

Dated 21st March 2018


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Rosalinde Emrys-Roberts
Definitive Map Team Leader

HERTFORDSHIRE COUNTY COUNCIL

COMMONS ACT 2006 AND REGULATION 43 OF THE COMMONS REGISTRATION (ENGLAND) REGULATIONS 2014

THERFIELD COMMON

Declaration of Entitlement to Right of Common

DECISION NOTICE

An application dated 12th December 2017 was made under Regulation 43 of The Commons Registration (England) Regulations 2014 (“the Regulations”) by Robert Law on behalf of Quickpure Ltd. The application was to declare entitlement to a right of common and amend the Register for Therfield Common (CL092) on the grounds specified in Regulation 43 of the Regulations.

Hertfordshire County Council as the Commons Registration Authority (“CRA”) determined the application and considered whether Quickpure Ltd is the owner of the freehold or a leasehold estate in any such land to which a right of common is attached.

The following evidence was considered in accordance with Regulation 43(2) & (3):

- A conveyance dated 5th February 1971 made between the executors of John Rowland Abbey and Frank Litchfield for land at Thrift Farm, Coombs Farm and Fox Covert;
- Land Registry Title HD529496;
- A rural land register map dated 13th May 2015 provided by Robert Law;
- Register for Therfield Common, CL092 – entry 2 sheet 2 of the Rights Section;
- MAF73 Evidence from The National Archives (73/18/8).

The CRA also previously had regard to:

- The Transcript of the Award of the Valuer in the matter of the Regulation of Therfield Heath and Greens in the Parish of Therfield in the County of Hertford dated 19th April 1893 and confirmed by the Board of Agriculture on 21st April 1893, as amended by the Board of Agriculture and Fisheries on 11th September 1911, and related maps.

Calculation of apportionment

The sum to calculate the apportionment of rights is as follows:

$\frac{\text{Rights}}{\text{Original area}} \times \text{current area} = \text{apportioned rights}$

The extent of Thrift Farm in 1971 was 831.55 acres. 525.48 acres of this farm was in Therfield. The register grants the right to graze 574 sheep. The extent of Thrift Farm now owned by Quickpure Ltd is 79.71 acres.

$\frac{574}{525.48} \times 79.71 = 87.07$ i.e. 87 sheep

Decision


The CRA confirmed that Quickpure Ltd is the registered proprietor of part of Thrift Farm in entry No 2 of the Rights Section of Register Unit CL 092 and is entitled to a declaration of entitlement to a right of common to graze 87 sheep by virtue of Regulations 43 of the Regulations. The register should therefore be amended accordingly.

The application is granted.

A copy of the decision can be found at

<http://www.hertsdirect.org/envroads/environment/countryside/walkingandridding/commongreens/>

Dated 21st March 2018


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Rosalinde Emrys-Roberts
Definitive Map Team Leader