

Commons Act 2006: Schedule 2

Application to correct non-registration or mistaken registration

This section is for office use only

Official stamp

COMMONS ACT 2006 West Berkshire District Council Commons Registration Authority 25th SEPT 2025
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Application number

CL87/2025
Register unit number allocated at registration (for missed commons only)

Applicants are advised to read 'Part 1 of the Commons Act 2006: Guidance to applicants' and to note:

- Any person can apply under Schedule 2 to the Commons Act 2006.
- All applicants should complete boxes 1-10.
- Applications must be submitted by a prescribed deadline. From that date onwards no further applications can be submitted. Ask the registration authority for details.
- You will be required to pay a fee unless your application is submitted under paragraph 2, 3, 4 or 5 of Schedule 2. Ask the registration authority for details. You would have to pay a separate fee should your application relate to any of paragraphs 6 to 9 of Schedule 2 and be referred to the Planning Inspectorate.

Note 1

*Insert name
of commons
registration
authority.*

1. Commons Registration Authority

To the: West Berkshire District Council

Tick the box to confirm that you have:

enclosed the appropriate fee for this application:



or

have applied under paragraph 2, 3, 4 or 5, so no fee has been
enclosed:



Note 2

If there is more than one applicant, list all their names and addresses in full. Use a separate sheet if necessary. State the full title of the organisation if the applicant is a body corporate or an unincorporated association. If you supply an email address in the box provided, you may receive communications from the registration authority or other persons (e.g. objectors) via email. If box 3 is not completed all correspondence and notices will be sent to the first named applicant.

Note 3

This box should be completed if a representative, e.g. a solicitor, is instructed for the purposes of the application. If so all correspondence and notices will be sent to the person or firm named here. If you supply an email address in the box provided, the representative may receive communications from the registration authority or other persons (e.g. objectors) via email.

2. Name and address of the applicant

Name: Swings and Smiles (Co. Regn No. 06182577) (Registered Charity No.

Postal address: 1120598)

A Place to Play, Lower Way, Thatcham, Berkshire, RG19 3RR.

Postcode RG19 3RR.

Telephone number:

01635 285170

Fax number:

—

E-mail address:

rhonda@swingsandsmiles.co.uk

3. Name and address of representative, if any

Name:

Firm:

Postal address:

Postcode

Telephone number:

Fax number:

E-mail address:

Note 4

For further details of the requirements of an application refer to Schedule 4, paragraph 14 to the Commons Registration (England) Regulations 2014.

4. Basis of application for correction and qualifying criteria

Tick one of the following boxes to indicate the purpose for which you are applying under Schedule 2 of the Commons Act 2006.

To register land as common land (paragraph 2): ☐

To register land as a town or village green (paragraph 3): ☐

To register waste land of a manor as common land (paragraph 4): ☐

To deregister common land as a town or village green (paragraph 5): ☐

To deregister a building wrongly registered as common land (paragraph 6): ☐

To deregister any other land wrongly registered as common land (paragraph 7): ☒

To deregister a building wrongly registered as town or village green (paragraph 8): ☐

To deregister any other land wrongly registered as town or village green (paragraph 9): ☐

For waste land of a manor (paragraph 4), tick one of the following boxes to indicate why the provisional registration was cancelled.

The Commons Commissioner refused to confirm the registration having determined that the land was no longer part of a manor (paragraph 4(3)): ☐

The Commons Commissioner had determined that the land was not subject to rights of common but did not consider whether it was waste land of a manor (paragraph 4(4)): ☐

The applicant requested or agreed to cancel the application (whether before or after its referral to a Commons Commissioner) (paragraph 4(5)): ☐

Please specify the register unit number(s) (if any) to which this application relates:

C.L 87

Note 5

Explain why the land should be registered or, as the case may be, deregistered.

5. Description of the reason for applying to correct the register:

Please see attached "Written submissions in supports of the application."

Note 6

You must provide an Ordnance map of the land relevant to your application. The relevant area must be hatched in blue. The map must be at a scale of at least 1:2,500, or 1:10,560 if the land is wholly or predominantly moorland. Give a grid reference or other identifying detail.

Note 7

This can include any written declarations sent to the applicant (i.e. a letter), and any such declaration made on the form itself.

If your application is to register common land or a town or village green and part of the land is covered by a building or is within the curtilage of a building, you will need to obtain the consent of the landowner.

6. Description of land

Name by which the land is usually known:

"The Children's Centre, Lower Way, Thatcham."

Location:

Land on the north side of Lower Way Thatcham

Tick the box to confirm that you have attached an Ordnance map of the land:

**7. Declarations of consent**

Note 8

List all supporting documents and maps accompanying the application, including if relevant any written consents. This will include a copy of any relevant enactment referred to in paragraphs 2(2)(b) or 3(2) (a) of Schedule 2 to the Commons Act 2006 or, in relation to paragraph 4 (waste land of a manor) evidence which shows why the provisional registration was cancelled. There is no need to submit copies of documents issued by the registration authority or to which it was a party but they should still be listed. Use a separate sheet if necessary.

8. Supporting documentation

**Please see material annexed to the
"Written submissions in support of the
application."**

<p>Note 9 List any other matters which should be brought to the attention of the registration authority (in particular if a person interested in the land is expected to challenge the application for registration). Full details should be given here or on a separate sheet if necessary.</p>	<p>9. Any other information relating to the application</p> <div style="border: 1px solid black; height: 250px; width: 100%;"></div>
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<p>Note 10 The application must be signed by each individual applicant, or by the authorised officer of an applicant which is a body corporate or an unincorporated association.</p>	<p>10. Signature</p> <p>Date: <div style="border: 1px solid black; padding: 2px; display: inline-block;">22 / 05 / 25</div></p> <p>Signatures: <div style="display: inline-block; width: 100px; height: 30px; background-color: black; vertical-align: middle;"></div> Rhonda Nicklin - CEO</p> <div style="border: 1px solid black; height: 80px; width: 550px; margin-top: 10px;"></div>
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REMINDER TO APPLICANT

You are responsible for telling the truth in presenting the application and accompanying evidence. You may commit a criminal offence if you deliberately provide misleading or untrue evidence and if you do so you may be prosecuted.

You are advised to keep a copy of the application and all associated documentation.

Data Protection Act 1998

The application and any representations made cannot be treated as confidential. To determine the application it will be necessary for the commons registration authority to disclose information received from you to others, which may include other local authorities, Government Departments, public bodies, other organisations and members of the public.

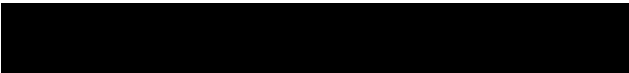
A copy of this form and any accompanying documents may be disclosed upon receipt of a request for information under the Environmental Information Regulations 2004 or the Freedom of Information Act 2000.

**IN THE MATTER OF AN APPLICATION TO DE-REGISTER COMMON LAND KNOWN AS “THE
CHILDREN’S CENTRE, LOWER WAY, THATCHAM”**

WRITTEN SUBMISSIONS IN SUPPORT OF THE APPLICATION

Paul Wilmshurst
New Square Chambers
Lincoln’s Inn
London WC2A 3SW

TEL: +44 (0)20 7419 8000



IN THE MATTER OF AN APPLICATION TO DE-REGISTER COMMON LAND KNOWN AS “THE CHILDREN’S CENTRE, LOWER WAY, THATCHAM”

APPLICATION TO DE-REGISTER COMMON LAND

1. This is an application to the West Berkshire District Council in its capacity as commons registration authority (“the CRA) to de-register land which is currently registered as common land. The application is made by Swings and Smiles (Co. Regn No. 06182577) (Registered Charity No. 1120598) who are in possession of the land under a lease dated 10th February 2017.
2. The West Berkshire District Council is the registered freehold proprietor of the land under title number BK326407 being land on the north side of Lower Way Thatcham [**Appendix 1**]. This land is otherwise known as “*The Children’s Centre, Lower Way, Thatcham.*” It is an unusual feature of the land that it developed with buildings; however, no part of this request relies on or is affected by that fact, and as such, it is not necessary to go into further detail on that issue. Hereinafter, the relevant land will simply be referred to as “the land.”
3. The land is registered as a common land under the Commons Registration Act 1965 (“CRA 1965”). That registration was provisionally made on 21st June 1968 pursuant to an application made by the Thatcham Parish Council [**Appendix 2**]. The registration, being undisputed, became final on 1 October 1970. The relevant “register unit” is “C.L 87.” Importantly, there are no registered rights of common over the land. The relevant parts of the commons register are reproduced at **Appendix 3**.

LEGISLATIVE FRAMEWORK

The Commons Registration Act 1965

4. The CRA 1965 was the first attempt to record the many various commons, rights of common and village greens that had customarily existed over vast swathes of England and Wales. Each commons registration authority began to keep a commons register under s.1 of the 1965 Act. Registration in any of the sections of the register pursuant to the 1965 Act was originally “*provisional*” and subject to objections which had to be made within specified periods. These periods expired on 31 July 1972. There were provisions made to

hear disputes or, in the absence of a dispute, to finally register the land or rights. In the case of a rejection of the application, the commons register would record that the registration had become “void”: see s.4 of the 1965 Act.

5. The definition of “*common land*” under s.22(1) of the Commons Registration Act 1965 was land a) subject to rights of common whether those rights are exercisable at all times or only during limited periods; or b) waste land of a manor not subject to rights of common. The commons register was split up into different sections, including a “*land*” section and a “*rights*” section. Applications could be made to register land as common land, but applications could also be made to register a right of common (e.g. a right to graze sheep), and it would be implicit in such an application that it was being asserted that the land (over which the claimed right had been exercised) was common land.

Commons Act 2006, Schedule 2, Paragraph 7 (land wrongly registered)

6. The Commons Act 2006, Schedule 2, paragraph 2 provides as follows:

“7 Other land wrongly registered as common land

(1) If a commons registration authority is satisfied that any land registered as common land is land to which this paragraph applies, the authority shall, subject to this paragraph, remove the land from its register of common land.

(2) This paragraph applies to land where—

(a) the land was provisionally registered as common land under section 4 of the 1965 Act;

(b) the provisional registration of the land as common land was not referred to a Commons Commissioner under section 5 of the 1965 Act;

(c) the provisional registration became final; and

(d) immediately before its provisional registration the land was not any of the following—

(i) land subject to rights of common;

(ii) waste land of a manor;

*(iii) a town or village green within the meaning of the 1965 Act as originally enacted;
or*

(iv) land of a description specified in section 11 of the Inclosure Act 1845 (c. 118).

(3) A commons registration authority may only remove land under subparagraph (1) acting on—

*(a) the application of any person made before such date as regulations may specify;
or*

(b) a proposal made and published by the authority before such date as regulations may specify.”

SUBMISSIONS

7. Submissions are now made with regard to the requirements of the Commons Act 2006, Schedule 2, paragraph 2.

“the land was provisionally registered as common land under section 4 of the 1965 Act”

8. As above, this occurred on 21st June 1968.

“the provisional registration of the land as common land was not referred to a Commons Commissioner under section 5 of the 1965 Act”

9. In 1973 the Commons Commissioners convened a hearing *to determine the ownership* of part of the land. It was recorded in the decision dated March 1973 [**Appendix 4**] that Mr Rowe, the Deputy Clerk, gave the following unchallenged evidence:

“The land is now flat grass land, used for grazing. Up to 1962 it was a pit-waste land the Council filled it in and it is now let rent free to bring it up to reasonable agricultural land. It may be reason of it situation be of value for other purposes. There are houses on the west and north; the large piece of land on the waste is part of an old pitt about 6 feet below road level and owned by the Church Commissioners.”

10. It is suggested that referral to the Commons Commissioners just on the basis on determining ownership does not prevent de-registration here. Section 5 CRA 1965 (in its original form) was entitled *“Notification of, and objections to, registration.”* See **Appendix 5** for the full text. Plainly, a reading of its terms reveals that it is not concerned with

referrals to the Commissioners about the ownership of common land. It is concerned only with objections to the registration of common land and rights of common.

Immediately before its provisional registration the land was not “subject to rights of common”

11. On a review of all the papers presently available there is no evidence that the land was subject to rights of common immediately before 21st June 1968. For example, there is no registration of such rights nor any attempt to register such rights.

Immediately before its provisional registration the land was not “waste land of a manor”

12. In **AG v Hanmer (1858) 31 LTS 379** waste land was held to be that land which is “uncultivated” and “unoccupied.” In addition to this, in **Box Parish Council v Lacy [1980] Ch 109** the Court of Appeal applied, in the context of registration under the 1965 Act, a definition of “waste of the manor” which meant that the land must be “still held of the manor.” The evidence does not support the land still being held of a manor prior to provisional registration.

13. There is a reference, in the application form itself to a Thatcham Inclosure [A]ward 1852, although it is not explained. In Statutory Declaration dated July 1972 Brian Tetford [Appendix 6], the clerk of Newbury Rural District Council, it is recorded that the Inclosure Award of 1852 “vested in the Surveyors of the Highways of the Borough Tithing in the said Parish of Thatcham and their successors for ever and by virtue of Section 25 and 67 of the Local Government Act 1894 the said land became vested in Newbury Rural District Council.” It is further set out that “the Council have received the rents and profits from the said land until the year 1963 and since that date the Council have let the land rent free...” The reader is told that the land comprises the site of an old quarry. No doubt that it why the land is referred to as the “Gravel Pit” in the application for registration and the commons register.

14. Accordingly, it is submitted with respect to the above that the land was neither uncultivated nor unoccupied prior to its provisional registration. It must be assumed that the land was let out as claimed and that would entail exclusive possession being granted and asserted.

15. Furthermore, it is further submitted that the inclusion of waste land in a tenancy of any sort (as *per* the evidence in this case) is “*sufficient to destroy waste status.*” See the case cited by Gadsden on Commons and Green (Current Edn) at [3-53] **[Appendix 7]**. This applies here as well, given the evidence of letting by the Council.

Immediately before its provisional registration the land was not a “town or village green within the meaning of the 1965 Act as originally enacted”

16. The relevant s. 22(1) of that 1965 Act (in its original form) can, as a matter of convenience, be read so as to provide for three classes of green, where it defines such greens as:

“... land which been allotted by or under any Act for the exercise or recreation of the inhabitants of any locality [class a] or on which the inhabitants of any locality have a customary right to indulge in lawful sports and pastimes [class b] or on which the inhabitants of any locality have indulged in such sports and pastimes as of right for not less than 20 years. [class c]”

As to class a, the Council is not aware of any Act which allotted the development site for recreation, and neither is there any other evidence that the land fell within in class b or c. Indeed, such use of the land for recreation would be inconsistent with its past use as quarry and thereafter for grazing.

Immediately before its provisional registration the land was “not subject to be inclosed under the Inclosure Act 1845 Section 11”

17. Section 11 of the Inclosure Act 1845 (“the IA 1845”) provides, in typically verbose Victorian language, as follows:

“11. Descriptions of land subject to be inclosed under this Act.

All such lands as are herein-after mentioned, (that is to say,) all lands subject to any rights of common whatsoever, and whether such rights may be exercised or enjoyed at all times, or may be exercised or enjoyed only during limited times, seasons, or periods, or be subject to any suspension or restriction whatsoever in respect of the time of the enjoyment thereof; all gated and stinted pastures in which the property of the soil or of some part thereof is in the owners of the cattle gates or other gates or stints, or any of them; and also all gated and stinted pastures in which no part of the property

of the soil is in the owners of the cattle gates or other gates or stints, or any of them; all land held, occupied, or used in common, either at all times or during any time or season, or periodically, and either for all purposes or for any limited purpose, and whether the separate parcels of the several owners of the soil shall or shall not be known by metes or bounds or otherwise distinguishable; all land in which the property or right of or to the vesture or herbage, or any part thereof, during the whole or any part of the year, or the property or right of or to the wood or underwood growing and to grow thereon, is separated from the property of the soil; and all lot meadows and other lands the occupation or enjoyment of the separate lots or parcels of which is subject to interchange among the respective owners in any known course of rotation or otherwise, shall be land subject to be inclosed under this Act."

18. In Gadsden on Commons and Greens 2nd Ed at [1-31] **[Appendix 8]** the authors try and make sense of this and describe this section as follows:

"As might be expected, the categories of land correspond to those described already as existing under the common law. The first relates to common land as generally understood whilst making it clear that the Act applies to the land whether the rights are exercisable at all times of the year or part of the year only. The second and third categories are those described now as regulated and stinted pastures. The fourth is clearly intended to bring into scope all common fields which are held, used or occupied in common for all or part of the year whether the individual ownerships are divided or not. The final category makes certain that lot meadows and any analogous land are included, although generally this type of land would fall into category four. The fifth category of land described may also overlap the fourth where the land is used in common but additionally will apply where a sole right of vesture, herbage or underwood is held by one person to the exclusion of the owner of the soil. Vesture is a right to take all the herbage on land including the underwood and herbage is the right to cut grass as well as graze it. A sole owner of vesture of herbage will be unusual today. A right to wood and underwood is a similar right related only to trees large and small and is thought to now obsolete."

In Commons and Greens, the Modern Law (2nd Edition) Angela Sydenham defines a “stinted pasture” as *“The land over which sole profits of pasture are exercised, the owner of the soil having no residual grazing rights.”* [Appendix 9]

19. It is submitted that the Thatcham Enclosure Award 1852 [Appendix 10] does not fall within the definition of s.11 Inclosure Act 1845. It did not purport to grant any rights of common, stinted pastures or other rights identified by the extract recited above from Gadsden. Again, the simple letting out of the land by the Council for grazing and its prior use as a quarry tends to be destructive of any notion that the land ever fell within the required categories. As such, the exercise of concluding that s.11 of the Inclosure Act 1845 does not apply is an easy one.

CONCLUSION

20. For all of the reasons above it is submitted that it is appropriate for the CRA for the land to be de-registered. It is plainly in the public interest for such a clear error to be corrected and all the more pressing since, as above, the land is covered by buildings.
21. The West Berkshire District Council, in its capacity as freehold owner, has supported the making of this application. In these circumstances, if there is at least one objection, then it is suggested that this the application is one to which r.26(3) of the Commons Registration (England) Regulations 2014 applies, being an application *“where the registration authority has an interest in the outcome of the application or proposal such that there is unlikely to be confidence in the authority’s ability impartially to determine it.”* The application must therefore, be referred to the Planning Inspectorate for determination.

Paul Wilmshurst

New Square Chambers

12 New Square

Lincoln's Inn

London

WC2A 3SW

19 July 2024

**IN THE MATTER OF AN APPLICATION TO DE-REGISTER COMMON LAND KNOWN AS “THE
CHILDREN’S CENTRE, LOWER WAY, THATCHAM”**

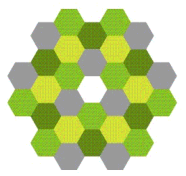
APPENDIX 1

Official Copy Title Plan - BK326407
Official Copy Register – BK326407

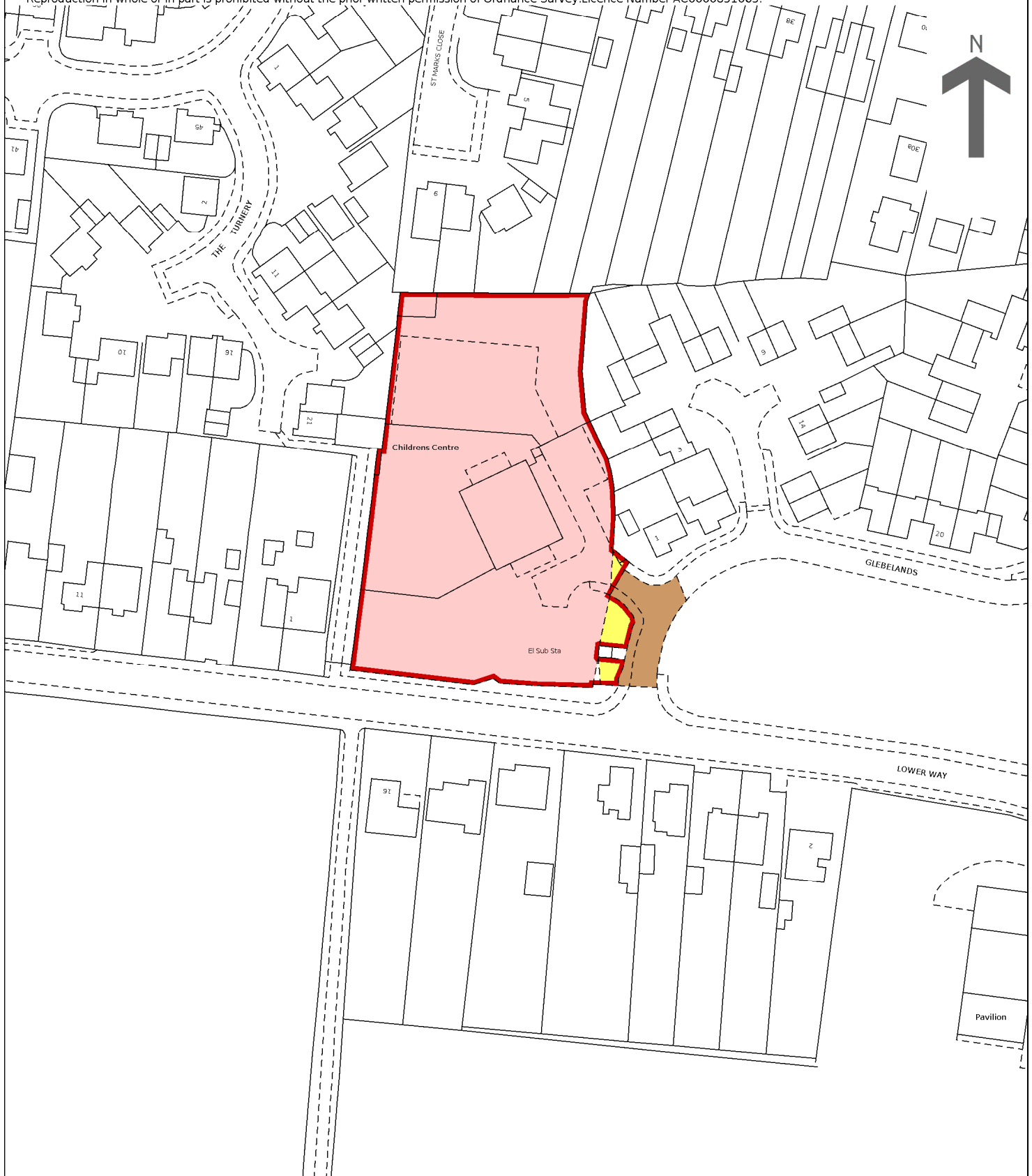
HM Land Registry

Official copy of title plan

Title number **BK326407**
Ordnance Survey map reference **SU5167SW**
Scale **1:1250**
Administrative area **West Berkshire**



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Official copy of register of title

Title number BK326407

Edition date 12.08.2009

- This official copy shows the entries on the register of title on 19 JUL 2024 at 11:08:23.
- This date must be quoted as the "search from date" in any official search application based on this copy.
- The date at the beginning of an entry is the date on which the entry was made in the register.
- Issued on 19 Jul 2024.
- Under s.67 of the Land Registration Act 2002, this copy is admissible in evidence to the same extent as the original.
- This title is dealt with by HM Land Registry, Gloucester Office.

A: Property Register

This register describes the land and estate comprised in the title.

WEST BERKSHIRE

- 1 (06.01.1995) The Freehold land shown edged with red on the plan of the above Title filed at the Registry and being land on the north side of Lower Way, Thatcham.
- 2 (06.01.1995) The land tinted pink on the title plan has the benefit of the rights granted by a Deed dated 11 July 1994 made between (1) Trencherwood Homes (South Eastern) Limited (2) Newbury District Council and (3) Midland Bank PLC.

NOTE: Original filed.

- 3 (06.01.1995) The land tinted yellow on the title plan has the benefit of the following rights granted by but is subject to the following rights reserved by the Transfer dated 23 December 1994 referred to in the Charges Register:-

"THE Property is transferred together with the rights set out in the First Schedule

THERE are excepted and reserved out of the Property for the benefit of the Retained Land the rights set out in the Second Schedule

THE FIRST SCHEDULE

The Appurtenant Rights

Full right and liberty for the Purchaser its servants and workmen and others authorised by them to pass and repass at all times and for all purposes with or without vehicles and equipment over and along the land coloured brown on the attached plan being the adoptable roads and ways on the Vendor's Retained Land until such time as the same shall be taken over and become maintainable at the public expense and until such time to contribute to the maintenance thereof according to user

THE SECOND SCHEDULE

The Reserved Rights

The right for the Vendor in fee simple as appurtenant to the ownership

A: Property Register continued

or occupation of the Retained Land at all times and for all purposes to use the pipes sewers cables and other service media now in under above or on the Property or any part of it together with the right to enter on the Property for the purpose of inspecting maintaining repairing and replacing all such pipes sewers cables and other service media."

NOTE 1: The Retained Land referred to adjoins the eastern boundary of the land in this title

NOTE 2: The land coloured brown referred to is reproduced on the title plan.

- 4 (07.03.2008) A new title plan based on the latest revision of the Ordnance Survey Map has been prepared.

B: Proprietorship Register

This register specifies the class of title and identifies the owner. It contains any entries that affect the right of disposal.

Title absolute

- 1 (06.01.1995) PROPRIETOR: WEST BERKSHIRE DISTRICT COUNCIL of Council Offices, Market Street, Newbury, Berks RG14 5LD and of DX30825, Newbury.

C: Charges Register

This register contains any charges and other matters that affect the land.

- 1 (06.01.1995) Wayleave Consent dated 21 October 1975 made by Newbury District Council relates to the erection, maintenance, repair, renewal, inspection and removal of electric lines and works.

NOTE: Copy filed.

- 2 (06.01.1995) Wayleave Consent undated under the hand of Michael John Harris relates to the erection, maintenance, repair, renewal, inspection and removal of electric lines and works.

NOTE: Copy filed.

- 3 (06.01.1995) The land tinted pink on the title plan is subject to the rights granted by a Deed dated 31 May 1994 made between (1) Newbury District Council and (2) Trencherwood Homes (South Eastern) Limited.

The said Deed also contains restrictive covenants by the grantor.

NOTE: Original filed.

- 4 A Transfer of the land tinted yellow on the title plan and other land dated 3 December 1993 made between (1) The Oxford Diocesan Board of Finance (Transferor) and (2) Trencherwood Homes (South Eastern) Limited (Transferee) contains the following covenants:-

"The Transferee to the intent and so as to bind the Property (so far as practicable) into whosoever hands the same may come and for the benefit and protection of the adjoining land neighbouring lands now belonging to the Transferor and each and every part thereof shown edged green on the annexed plan ("the Retained Land") hereby for itself and its successors in title covenants with the Transferor to observe and perform the stipulations set out in the Third Schedule hereto

THIRD SCHEDULE

Restrictive Covenants

1. That neither the Property nor any part thereof nor any existing or future building thereon or on any part thereof shall at any time hereafter be used as or for a place of amusement hotel tavern inn or

C: Charges Register continued

public house nor shall any spirituous or fermented liquors at any time be sold in or upon the Property or any part thereof and that no act deed matter or thing shall at any time be done suffered or permitted in or upon the Property or any part thereof which may be or become a nuisance annoyance or disturbance to the Transferor or its tenants or to the Incumbent for the time being of the benefice of Thatcham or his successors or which may tend to depreciate or lessen the value of the adjoining and neighbouring property belonging to the Transferor

2. Not to use the Property nor any part thereof except as a residential estate together with any other use incidental thereto

3. That no act deed matter or thing shall at any time be done suffered or permitted in or upon the Property or any part thereof which may be or become a nuisance annoyance or disturbance to the Minister for the time being conducting or the congregation attending divine service in the Parish Church of St. Mary Thatcham or the churchyard surrounding the same."

NOTE: The Retained Land referred to lies to the east of the land in this title.

5 The land tinted yellow on the title plan is subject to the following rights reserved by the Transfer dated 3 December 1993 referred to above:-

"EXCEPT AND RESERVING to the Transferor for the benefit of the Retained Land (as hereinafter defined) the rights set out in the Second Schedule hereto

SECOND SCHEDULE

Exceptions and Reservations

1. The right for the Transferor and all persons authorised by the Transferor (in common with all other persons having a similar right):-

1.1 at all times and for all reasonable purposes in connection with the use of the Retained Land until adoption to pass with or without vehicles along all roads verges and footpaths now or hereafter constructed with the Property which are intended to become highways maintainable at public expense ("the Estate Roads) and similar rights over any part of the Property lying between the Estate Roads and the Retained Land in any reasonable position or positions

1.2 to connect up to and to use all main foul and surface water sewers now or hereafter constructed within the Property which are intended to become sewers maintainable at the public expense ("the Estate Sewers") for the passage of water and sewage PROVIDED THAT any such connection shall be

1.2.1 in such position as the Transferee may reasonably determine and

1.2.2 made causing the minimum of damage any such damage to be put right forthwith

1.3 to use all drains channels sewers (excluding the Estate Sewers) pipes wires cables watercourses gutters and other conducting media whatsoever (and any structures incidental to the user thereof) now or hereafter constructed ("the Service Installations") comprised in the Property for the passage of water sewage gas electricity and other services

1.4 to enter upon the Property (other than the site of any electricity sub-station or similar installation) at all reasonable times (and at any time in an emergency) so far as may be necessary for the purposes of inspecting maintaining repairing and renewing the Estate Roads the Estate Sewers and the Service Installations comprised in the Property and similar rights so far as the same may be required by any Statutory Authorities or Service Supply Companies in connection with the supply of services usually provided or maintained by them PROVIDED that in exercising such right of entry the Transferor shall cause the minimum of damage and forthwith shall put right such damage as may be caused

C: Charges Register continued

2. Any rights of light or air which would prejudicially affect the use by the Transferor of the Retained Land for building or any other purpose are hereby expressly excepted from the effect of the Transfer and it is hereby declared that the Transferee shall not become entitled to any such rights for the benefit of the Property."

6 (06.01.1995) A Transfer of the land tinted yellow on the title plan dated 23 December 1994 made between (1) Trencherwood Homes (South Eastern) Limited (Vendor) and (2) Newbury District Council (Purchaser) contains the following covenants:-

"THE Purchaser so as to bind the whole and every part of the Property covenants with the Vendor for the benefit of the whole and every part of the Retained Land as set out in the Third Schedule

THE THIRD SCHEDULE

The Restrictive Covenant

- (1) Not to use the Property or any part thereof except as an open space
- (2) Not to erect any buildings or other constructions on the Property."

NOTE: The Retained Land referred to adjoins the eastern boundary of the land in this title.

End of register

IN THE MATTER OF AN APPLICATION TO DE-REGISTER COMMON LAND KNOWN AS “THE CHILDREN’S CENTRE, LOWER WAY, THATCHAM”

APPENDIX 2

Commons Registration Act 1965 Application – 21.6.68

CR Form 7

This section for official use only.

Official stamp of registration authority indicating date of receipt

Application No. 328

Register Unit No(s):

CL
CL
CL

87.

COMMONS REGISTRATION ACT 1965
BERKSHIRE COUNTY COUNCIL
REGISTRATION AUTHORITY
- 1 MAR 1968

COMMONS REGISTRATION ACT 1965

Application for the registration of land as common land

IMPORTANT NOTE: Before filling in this form, read carefully the notes on the back. An incorrectly completed application form may be rejected.

Insert name of registration authority (see Note 1).

To the Berkshire County Council

Application is hereby made for the registration as common land of the land described below.

Part 1.

Name and address of the applicant.

(Give Christian names or forenames and surname or, in the case of a society or other body, the full title of the body. If part 2 is not completed all correspondence and notices will be sent to the applicant.)

THATCHAM PARISH COUNCIL

21 Bath Road,

Thatcham,

Newbury

Part 2.

Name and address of solicitor, if any.

(This part should be completed only if a solicitor has been instructed for the purposes of the application. If it is completed, all correspondence and notices will be sent to the solicitor.)

Part 3.

Particulars of the land to be registered, i.e. the land claimed to be common land.

(See Notes 2, 3 and 4).

Name by which usually known

Gravel Pit,

Lower Way,

Locality

Thatcham

(Thatcham Inclosure Ward 1852)

Delete reference to plan where none is submitted. A plan must be used except as mentioned in Note 4.

Colour on plan herewith

Green

Part 4.

(See Note 7.)

For applications submitted after 30th June, 1968 (to be disregarded in other cases).

Does the prescribed fee of £5 accompany this application? If not, state whether this is for reason (a) or (b) mentioned in Note 7, and give the appropriate particulars required by that note.

**The application must be signed by the applicant personally, unless the applicant is a body corporate or unincorporate, in which case it must be signed by the secretary or some other duly authorised officer.*

*Signature of applicant or of person on applicant's behalf.

Phyllis Davies Hill Marshall

Date *20 February 1968*

(See Note 5)

Statutory Declaration in Support

To be made by the applicant personally, unless the applicant is a body corporate or unincorporate, in which case the declaration must be made by the person who has signed the application. Inapplicable wording should be deleted throughout.

*Insert full name.

me
I, *Phyllis Davis and Frederick Victor Middleton Marshall.*
solemnly and sincerely declare as follows:

*Strike out this paragraph if it does not apply.

*Insert capacity in which acting.

1. *me are have*
~~I am~~ the person who has signed the foregoing application.

2. *me are*
~~I am~~ *Councillor* to the applicant and am duly authorised by the applicant to make the foregoing application.

3. *me*
~~I~~ have read Notes 2 and 3 on the back of the application form and believe that the land described in the application is common land.

*Strike out this paragraph if there is no plan.

*Insert "marking" as on plan (see Note 5).

4. "The plan now produced and shown to *me* marked "*A*" is the plan referred to in the application.

me
And I make this solemn declaration, conscientiously believing the same to be true, and by virtue of the Statutory Declarations Act 1835.

Declared by the said *Phyllis Davis and Phyllis Davis*
Frederick Middleton Marshall. *J.M. Marshall*

at *21 Bath St. Stratford*
in the *County* of *Bucks.*
this *20* day of *February* 19*68*.

Before me,

Signature *S.J. Tomlock*

Address *69 Station Road,*
Thatcham, Berks.

Qualification *Justice of the Peace.*

REMINDER TO OFFICER TAKING DECLARATION:
Please initial all alterations and mark any plan as an exhibit.

[illegible]

Thatcham

356A
1.12.1

0006
6-072600
13-01

Thatcher P.C.

Mr Hunt

21 Bath Rd

This is Exhibit marked A' referred to
in the Statutory declaration of Phyllis Davis and
Ardenne Victor
Wendell Marshall made this date
January 26th 1968 before me.

Signed: S. J. Lovelock.

Respectfully Justice of the Peace
Boris D. Newbury.



IN THE MATTER OF AN APPLICATION TO DE-REGISTER COMMON LAND KNOWN AS “THE CHILDREN’S CENTRE, LOWER WAY, THATCHAM”

APPENDIX 3

Registration of common land – Land Section
Registration of common land – Ownership Section
Registration of common land – Rights Section
CL87 Notes

Register of COMMON LAND

LAND SECTION—Sheet No. 1

See Overleaf
for Notes

No. and date of entry	Description of the land, reference to the register map, registration particulars etc.
1. 21st June 1968. (See entry No. 2 below)	The land called Gravel Pit, lower way, Thatcham, Berks, as marked with a green verge line inside the boundary on sheet 12 of the register map and distinguished by the number of this register unit. Registered pursuant to application No. 328 made 1st March 1968 by Thatcham Parish Council. (Registration Provisional)
2 2nd. Oct. 1970.	The registration at entry No. 1 above, being undisputed, became final on 1st October 1970.

Registration authority
Deborah Leach
Leach County Council

NOTE: This section contains the registration of every person registered under the Act as owner of any of the land described in the land section of this register unit. It does not contain any registration in respect of land of which the freehold is registered under the Land Registration Acts 1925 and 1936, but the absence from this section of a registration in respect of any land described in the land section does not necessarily indicate that the freehold of that land is registered under those Acts.

Register unit No. C.I. 87
Edition No.

Register of COMMON LAND

OWNERSHIP SECTION—Sheet No.

See Overleaf
for Notes

1 No. and date of entry	2 No. and date of application	3 Name and Address of person registered as owner	4 Particulars of the land to which the registration applies
1 20th June. 1973	-	Newbury Rural District Council	Part of the land known as the Grass Pit, Lower Way, Thatcham, Newbury Rural District being the land comprised in the Land Section of this Register Unit which said part is the part of the said land not registered under the Land Registration Acts 1925 to 1971 freehold under title No BK 110945 and of which said part no person is registered under Section 4 of the Commons Registration Act 1965 as the owner.
REGISTERED PURSUANT TO OF THE COMMONS COMMISSIONER (ACT. 21(1)(7)) UNDER THE PROVISIONS OF SECTION 8(2) OF THE COMMONS REGISTRATION ACT. 1965.			DIRECTION (NO. 33) DATED 5TH JUNE 1973,

NOTE: This section contains the registration of every right of common registered under the Act as exercisable over the whole or any part of the land described in the land section of this register unit.

Registration authority
Berkshire County Council

Register unit No. *C.R. 87.*
Edition No.

Register of COMMON LAND

RIGHTS SECTION—Sheet No.

See Overleaf
for Notes

1	2	3	4	5
No. and date of entry	No. and date of application	Name and address of every applicant for registration, and the capacity in which he applied	Particulars of the right of common, and of the land over which it is exercisable	Particulars of the land (if any) to which the right is attached

The land called Gravel Pit, Lower Way, Thatcham in the parish of Thatcham, Berks as marked on sheet 56NW (application No 328 by Thatcham Parish Council).

Undisputed - became final on 1st October, 1970.

No notes on land section.

Land not subject to any rights of common.

Part of the land registered under the Land Registration Acts 1925 and 1971 under BK 110945.

The remainder subject to ownership registration by Newbury Rural District Council following direction (No 33) dated 5th June 1973 by the Commons Commissioner. (decision letter dated 29/3/73) (hearing held 21/3/73) (ref 2/U/79)

Land comprises of 1.121 acres.

*Cardens Centre
HQ on the corner
land - (handwritten)
from Newbury
DE
Tory with 15 bld road
provision
my advice will
not be for DOE
approved
4/15/76*

CL 87

The land called Gravel Pit, Lower Way Thatcham in the parish of Thatcham, Berkshire as marked on sheet 56NW (application No. 328 by Thatcham Parish Council).

No notes on land section

Land not subject to any rights o common.

Part of the land registered under the Land Registration Acts 1925 and 1971 under BK. 110945. The remainder subject to ownership registration by Newbury Rural District Council following the Direction (no33) dated 5th June 1973 by the Commons Commissioner. (decision letter dated 29/3/73) (hearing held 21/3/73) (ref. 2/U/79)

Land comprises of 1.121 acres

Children's Centre building on the corner land- leased from Newbury District Council. They wish to build a new premises and my advice will be to ask for DOE approval.

**IN THE MATTER OF AN APPLICATION TO DE-REGISTER COMMON LAND KNOWN AS “THE
CHILDREN’S CENTRE, LOWER WAY, THATCHAM”**

APPENDIX 4

Letter from Commons Commissioners – 13.4.1973
Letter 5.4.1991



The Office of the Commons Commissioners
Watergate House, 15 York Buildings
Adelphi, London
WC2N 6LB

Telephone 01-839 7196 ext

The Clerk,
Berkshire County Council
Shirehall,
Reading, RG1 3EY

Date

13 April 1973

Dear Sir

Commons Registration Act 1965

Reference No. 2/U/79

The Gravel Pit, Thatcham

Register Unit No. C.L.87

I enclose a copy of the decision of the Commons Commissioner in this matter.

Any application to the Commissioner for the statement of a case must be made in writing addressed to me at this office, and must state the point of law in question.

Since you may not, in law, be a 'person aggrieved', you are recommended to take legal advice if you contemplate requiring the Commissioner to state a case.

If you were entitled to be heard at the hearing of this matter, but did not attend the hearing, the Commissioner may, on an application made by you within 10 days from the date of this letter, re-open the hearing and set aside his decision on such terms as he thinks fit, if he is satisfied that you had sufficient reason for your absence.

Yours faithfully,

B. Fletcher

Clerk of the Commons Commissioners.



COMMONS REGISTRATION ACT 1965

Reference No 2/U/79

In the Matter of the Gravel Pit,
Thatcham, Newbury R.D., Berkshire

DECISION

This reference relates to the question of the ownership of part of land known as the Gravel Pit, Lower Way, Thatcham, Newbury Rural District being the land comprised in the Land Section of Register Unit No CL.87 in the Register of Common Land maintained by the Berkshire County Council. The said part is the land which forms part of that comprised in this Register Unit, which is not registered under the Land Registration Acts 1925 to 1971 freehold under Title No BK 110945 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 Newbury Rural District Council in a letter dated 2 January 1973 claimed to be the freehold owner of the land in question and no other person claimed to be the owner or 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 Reading on 21 March 1973. The hearing was attended by Newbury Rural District Council who were represented by Mr J A Rowe their Deputy Clerk.

Mr Rowe produced a statutory declaration made 7 July 1972 by Mr B J Thetford clerk of the Council, who had then held that position for 4 years. He said that by the Thatcham Inclosure Award dated 6 November 1852 the land was vested in the Surveyor of the Highways of the Borough Tithing in the Parish of Thatcham and their successors, that by virtue of sections 25 and 67 of the Local Government Act 1894 it became vested in the Council, that the records of the Council's lands show that the Council have received the rents and profits up to 1963 and since then it had been let rent free and that the Council had been in full and undisturbed possession and enjoyment without any adverse claim during the period he had been clerk and previously thereto according to the said records.

Mr Rowe in his oral evidence said:- He had been Deputy Clerk for the last 4 years. The land is now flat grass land, used for grazing. Up to 1962 it was a pit - waste land the Council filled it in and it is now let rent free to bring it back to reasonable agricultural land. It may by reason of its situation be of value for other purposes. There are houses on the west and north; the large piece of land on the east is part of an old pit about 6 feet below road level and owned by the Church Commissioners. The part registered under the Land Registration Acts is very small when compared with the rest.

On the evidence outlined above, I conclude that the Council is in possession of this land and that it is practically certain that their possession will never be disturbed. Possession in such circumstances being equivalent to ownership, I am therefore satisfied (notwithstanding that the Award was not produced or relied on) that the Council is the owner of the land, and I shall accordingly direct the Berkshire County Council, as registration authority under section 8(2) of the Act of 1965, to register Newbury Rural District Council as the owner of the part of the land comprised in this Register Unit and not registered under the Land Registration Acts.



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

29/5

day of

March

1973

a. a. Boden Fuller

Commons Commissioner

ENV PTM

Mr P Moate
Direct Dial 233122

5 April, 1991

Dear Sir

COMMON LAND, LOWER WAY, THATCHAM

I thank you for your letter of 7 March and apologise for the delay in replying. I enclose an application form for a search of the Register of Common Land. Please return it to me duly completed together with the necessary plans and fee so that a search can be made as requested.

As well as the usual need to obtain planning permission for development it is also necessary in certain circumstances to seek the consent of the Secretary of State under Section 194 of the Law of Property Act 1925 before buildings can be erected on common land. The rights that existed in 1926 are relevant in determining whether Section 194 applies to a particular common.

At a hearing before the Commons Commissioner to establish ownership of CL87, held on 29 March 1973 a Statutory Declaration by Mr B J Thetford, Clerk to the then Newbury Rural District Council, was produced. Mr Thetford declared that by the Thatcham Inclosure Award dated 6 November 1852 the land was vested in the Surveyor of the Highways of the Borough Tithing in the Parish of Thatcham and their successors, that by virtue of Sections 25 and 67 of the Local Government Act 1894 it became vested in the Council, that the records of the Council's lands showed that the Council had received the rents and profits up to 1963 and since then it had been let rent free and the Council had been in full and undisturbed possession and enjoyment without any adverse claim during the period he had been Clerk (4 years) and previously thereto according to the said records.

Mr Rowe, who was Deputy Clerk of Newbury Rural District Council, was present and said the land was now flat grass land, used for grazing. Up to 1962 it was a pit-waste land; the Council filled it in and it was let rent free to bring it back to reasonable agricultural land. It may by reason of its situation be of value for other purposes. There were houses

/cont'd

on the west and north; the large piece of land on the east was part of an old pit about 6 feet below road level and was owned by the Church Commissioners.

This is the only historical background I have and there are no rights registered over CL87.

Yours faithfully

X

County Solicitor *SK*

Mr D F Long
6 St Marks Close
Thatcham
Berkshire

PTM272RS

IN THE MATTER OF AN APPLICATION TO DE-REGISTER COMMON LAND KNOWN AS “THE CHILDREN’S CENTRE, LOWER WAY, THATCHAM”

APPENDIX 5

Commons Registration Act 1965 (Section 5 Notification of, and objections to, registration)

Commons Registration Act 1965 c. 64

s. 5 Notification of, and objections to, registration.



Superseded

Version 1 of 3

2 January 1967 - 30 September 2008

Subjects

Real property

Keywords

Commons; Land registration; Notification; Objections

5.— Notification of, and objections to, registration.

- (1) A registration authority shall give such notices and take such other steps as may be prescribed for informing the public of any registration made by it under [section 4](#) of this Act, of the times and places where copies of the relevant entries in the register may be inspected and of the period during which and the manner in which objection to the registration may be made to the authority.
- (2) The period during which objections to any registration under [section 4](#) of this Act may be made shall be such period, ending not less than two years after the date of the registration, as may be prescribed.
- (3) Where any land or rights over land are registered under [section 4](#) of this Act but no person is so registered as the owner of the land the registration authority may, if it thinks fit, make an objection to the registration notwithstanding that it has no interest in the land.
- (4) Where an objection to a registration under [section 4](#) of this Act is made, the registration authority shall note the objection on the register and shall give such notice as may be prescribed to the person (if any) on whose application the registration was made and to any person whose application is noted under [section 4\(4\)](#) of this Act.
- (5) Where a person to whom notice has been given under subsection (4) of this section so requests or where the registration was made otherwise than on the application of any person, the registration authority may, if it thinks fit, cancel or modify a registration to which objection is made under this section.
- (6) Where such an objection is made, then, unless the objection is withdrawn or the registration cancelled before the end of such period as may be prescribed, the registration authority shall refer the matter to a Commons Commissioner.
- (7) An objection to the registration of any land as common land or as a town or village green shall be treated for the purposes of this Act as being also an objection to any registration (whenever made) under [section 4](#) of this Act of any rights over the land.
- (8) A registration authority shall take such steps as may be prescribed for informing the public of any objection which they have noted on the register under this section and of the times and places where copies of the relevant entries in the register may be inspected.
- (9) Where regulations under this Act require copies of any entries in a register to be sent by the registration authority to another local authority they may require that other authority to make the copies available for inspection in such manner as may be prescribed.

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IN THE MATTER OF AN APPLICATION TO DE-REGISTER COMMON LAND KNOWN AS “THE CHILDREN’S CENTRE, LOWER WAY, THATCHAM”

APPENDIX 6

Statutory Declaration of Brian Thetford – July 1972

I, BRIAN JOHN THETFORD Clerk of Newbury Rural District Council
HEREBY SOLEMNLY AND SINCERELY DECLARE as follows:-

1. I am the Clerk of Newbury Rural District Council and have held that position for over four years.-

2. I have in my possession the records of the land in the Parish of Thatcham in the County of Berks belonging to the Newbury Rural District Council.-

3. By the Thatcham Inclosure Award dated the 6th day of November 1852 the land described in the Schedule hereto was vested in the Surveyors of the Highways of the Borough Tithing in the said Parish of Thatcham and their successors for ever and by virtue of Sections 25 and 67 of the Local Government Act 1894 the said land became vested in Newbury Rural District Council.-

4. The said records of the Council's lands in the Parish of Thatcham show that the Council have received the rents and profits from the said land up until the year 1963 and since that date the Council have let the said land rent free. The said Council have been in full and undisturbed possession and enjoyment of the said land since it became vested in them and in receipt of the rents and profits thereof without any adverse claim during the whole of the time that I have been Clerk to the Council as aforesaid and during the period previously thereto according to the said records.-

5. I am able to make this Declaration from the knowledge which I have acquired of the properties and land of the Newbury Rural District Council during the period for which I have held the appointment as Clerk

AND I MAKE this solemn declaration conscientiously believing the same to be true and by virtue of the provisions of the Statutory Declarations Act 1835.-

SCHEDULE

1.121 acres of land situate in the Parish of Thatcham in the County of Berks and having a frontage to Lower Way Thatcham aforesaid as the same is shown for the purpose of identification

edged red on the attached plan which said land comprises the
site of an old quarry.--

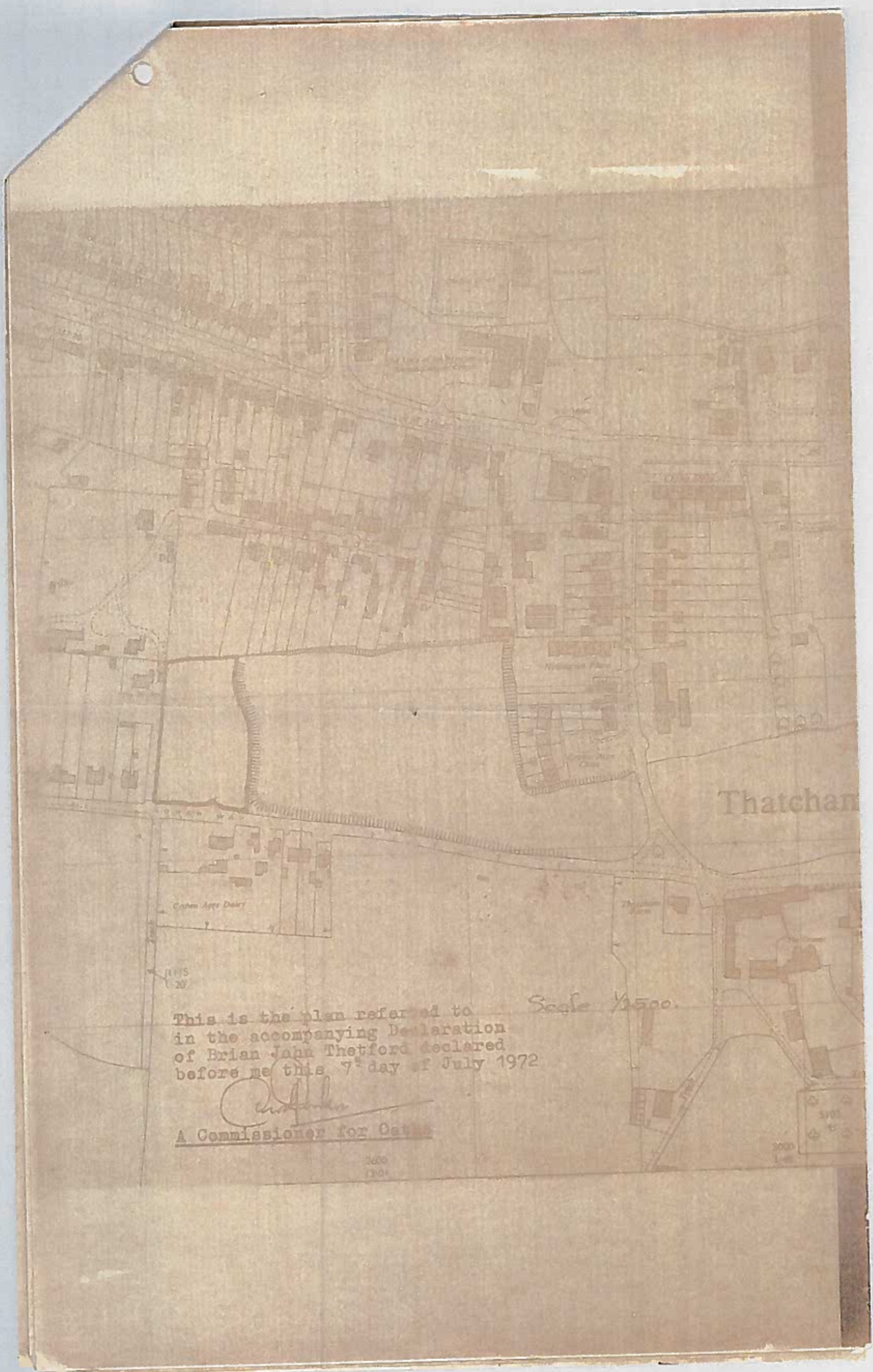
DECLARED at NEWBURY in the
County of BERKS this 7th
day of July 1972.--

[Handwritten signature]

Before me,

[Handwritten signature]

A Commissioner for Oaths.



This is the plan referred to
in the accompanying Declaration
of Brian John Thetford declared
before me this 7th day of July 1972

Scale 1/2500.

[Signature]
A Commissioner for Oaths

2600
1301

2000
1301

IN THE MATTER OF AN APPLICATION TO DE-REGISTER COMMON LAND KNOWN AS “THE CHILDREN’S CENTRE, LOWER WAY, THATCHAM”

APPENDIX 7

Gadsden on Commons and Greens (Current Edn) pages 3 -53

**GADSDEN
ON
COMMONS AND GREENS**

definition. The Commissioner went on to consider whether the land was also occupied and took the view, however, that:

"... to the extent to which the rents paid under the agreements are greater than the rents which could have been obtained for the farms without any right to graze on Arden Moor, the owner is in receipt of money from the Moor and is thereby enjoying benefit from it. The owner is using the land by taking in the sheep of other people to graze on it, it being immaterial that the owners of the sheep are also tenants of other land belonging to the same owner. In my view such a use of land is sufficient to make it occupied and thus to take it out of the category of 'waste lands'."

Tenanted and leased land

The Commissioners have consistently held that where land is let or leased the land cannot be waste land of a manor. Thus, land let since 1897, although remaining unenclosed, must have been converted to demesne land. In such circumstances it could not be construed as being waste land.³⁰⁷ Further, land leased for a term of years is demesne,³⁰⁸ and the inclusion of land in a tenancy agreement without actual occupation is sufficient to destroy waste status.³⁰⁹ In contradistinction, the existence of a sporting tenancy over a waste is not only consistent with its character as parcel of the manor but also may be supportive of such status.³¹⁰

Rights attached to leases, tenancies and licences were excluded from registration under the CRA 1965. Thus the tenant's interest in a lease was not capable of being registered, but the landlord's interest was probably capable of being registered. Similarly rights of sole pasture if let or licensed are not capable of being registered by the tenant or licensee. A similar position applies under the 2006 Act. However, it must be noted that severance has been restricted since the enactment of section 9, but severance is permitted in specifically defined cases such as an authorised—temporary severance by letting or leasing of a right of common by virtue of Schedule 1, paragraph 2, to the 2006 Act.³¹¹

Protected land

There is no compelling reason why land which is regulated under the Metropolitan Commons Acts 1866 to 1878, the Commons Act 1876 or a local Act should

³⁰⁷ *Re Hardown Hill, Whitechurch, Canonichorum and Chideock, Dorset (No.1)*. *Re* (1974) 10/D/45–55.

³⁰⁸ *Re land to the north of Pipers Green, Brockley Hill, Stanmore, Greater London* (1974) 59/D/7.

³⁰⁹ *Re Waste Land, Carperby, N Yorks.* (1977) 268/D/96; contra *Re Twm Barlwm Common, Risca and Rogerstone* (1986) 273/D/106–7, per Chief Commissioner Langdon Davies: letting of land is a relevant but not conclusive consideration; a tenancy gives a right to occupy; "occupation" a question of fact (sed quaere whether receipt of rent by the lord is not an indication that the land is of demesne status).

³¹⁰ *Re Burton Heath; Bellord v Colyer* (unreported 12 May 1983) per Nourse J.

³¹¹ See 3–118 below.

IN THE MATTER OF AN APPLICATION TO DE-REGISTER COMMON LAND KNOWN AS “THE CHILDREN’S CENTRE, LOWER WAY, THATCHAM”

APPENDIX 8

Gadsden on Commons and Greens (2nd Ed) pages 1-31

"commons" are defined in previous statutes, although usually by reference to lands described for the purposes of inclosure in another Act. In modern statutes there seems to have been a tendency to rely on the definition contained in the CRA 1965. That definition, however, had its own obscurities. This part of the chapter considers in outline first the various definitions which are currently available. The Acts of Parliament are then noted where there is no definition as such but which throw light on the classes of land concerned either by a physical description or by reference to the rights exercisable over the land.

Earlier commons legislation

In the earlier statutes definitions of common land were unknown and the land affected is described by its physical nature or the use to which it is put. In the Commons Act 1285 (now repealed), which was concerned with the lord's right to remove land from common land status by the process known as improvement,¹³² reference was made only to wastes, woods and pastures. The Inclosure Act 1773 (still in force) is concerned with "the better cultivation, improvement and regulation of the Common Arable Fields, Wastes and Commons of Pasture". In the absence of definitions, however, it is left to the description of rights to qualify the various provisions. 1-30

19th century commons legislation

The description of "land subject to be inclosed" described in section 11 of the Inclosure Act 1845, i.e. the land eligible for inclusion in an inclosure award, most nearly approximates to the land described in the present work as the "common lands".¹³³ The categories are: 1-31

"... all lands subject to any rights of common whatsoever, and whether such rights may be exercised or enjoyed at all times, or may be exercised or enjoyed only during limited times, seasons, or periods, or be subject to any suspension or restriction whatsoever in respect of the time of enjoyment thereof; ...

all gated and stinted pastures in which the property of the soil or some part thereof is in the owners of the cattle gates or other gates or stints, or any of them; ...

and also all gated and stinted pastures in which no part of the property of the soil is in the owners of the cattle gates or other gates or stints, or any of them; ...

all land held, occupied, or used in common, either at all times or during any time or season, or periodically, and either for all purposes or for any limited purpose, and whether the separate parcels of the several owners of

¹³² Repealed by the 2006 Act s.50, Sch.6, Pt 3, and see below 5-40.

¹³³ NB the exception of waste land of a manor not subject to rights of common. This is wholly exceptional, being a form of unincumbered freehold land which was included as a statutory form of common land: see the CRA 1965 s.22(1), now repealed by the 2006 Act s.49, Sch.6, Pt 1.

the soil shall or shall not be known by metes or bounds or otherwise distinguishable; . . .

all land in which the property or right of or to the vesture or herbage, or any part thereof, during the whole or any part of the year, or the property or right of or to the wood or underwood growing and to grow thereon, is separated from the property of the soil; . . .

and all lot meadows and other lands the occupation or enjoyment of the separate lots or parcels of which is subject to interchange among the respective owners in any known course of rotation or otherwise, shall be land subject to be inclosed under this Act".

As might be expected, the categories of land correspond to those described already as existing under the common law. The first relates to common land as generally understood whilst making it clear that the Act applies to the land whether the rights are exercisable at all times of the year or part of the year only. The second and third categories are those described now as regulated and stinted pastures. The fourth is clearly intended to bring into scope all common fields which are held, used or occupied in common for all or part of the year whether the individual ownerships are divided or not. The final category makes certain that lot meadows and any analogous lands are included, although generally this type of land would also fall into category four. The fifth category of land described may also overlap the fourth where the land is used in common but additionally will apply where a sole right of vesture, herbage or underwood is held by one person to the exclusion of the owner of the soil. Vesture¹³⁴ is a right to take all the herbage on land including the underwood and herbage¹³⁵ is the right to cut grass as well as graze it. A sole owner of vesture or herbage will be unusual today. A right to wood and underwood is a similar right related only to trees large and small and is thought to be now obsolete.

In later 19th century statutes these definitions tended to be by reference to land subject to be inclosed under the Inclosure Acts. This seems to indicate that all the categories of land included were seen at that time as at least being part of the common lands. The CRA 1965 definition was an exception.¹³⁶

- 1-32 Metropolitan Commons Acts 1866 to 1898:** Section 3 of the Metropolitan Commons Act 1866 defined a "common" to mean any land subject to rights of common. This was clearly found to be inadequate and by section 2 of the Metropolitan Commons Amendment Act 1869 the words "and any land subject to be included under the provisions of the Inclosure Act 1845" were added. The word "included" almost certainly must be a mistake in substitution for "inclosed" if for no other reason than that *any* land could be included in an inclosure award whether subject to be inclosed or not.¹³⁷

¹³⁴ cf. 2-51.

¹³⁵ cf. 2-53.

¹³⁶ CRA 1965 s.22(1), now repealed by the 2006 Act s.49, Sch.6, Pt 1, and see 3-40 and 3-46.

¹³⁷ Inclosure Act 1845 s.86; Inclosure Act 1848 s.1.

IN THE MATTER OF AN APPLICATION TO DE-REGISTER COMMON LAND KNOWN AS “THE CHILDREN’S CENTRE, LOWER WAY, THATCHAM”

APPENDIX 9

Commons and Greens, the Modern Law (2nd Ed) - Definitions

Commons and Greens The Modern Law

Second Edition

Angela Sydenham

 lime legal

Chapter 3

RIGHTS OF COMMON

3.1 Definitions

3.1.1 Definition of Right of Common

A right of common is a form of profit à prendre. This has been defined as "the right to take something off another person's land".¹ The right must be capable of ownership. It must be part of the land, or minerals or crops or wild animals on the land. The common law definition of a right of common is such a right where the surplus belongs to the owner of the soil. The interest must be held for an equivalent of a fee simple in possession.² The Commons Act 2006 gives the following definition:

"right of common includes a cattlegate or beastgate (by whatever name known) and a right of sole or several vesture or herbage or of sole or several pasture, but does not include a right held for a term of years or from year to year".³

Rights of common were defined in similar terms in the Commons Registration Act 1965.⁴

The definition is wider than the common law definition, as it includes rights where there is no residuary interest in the owner of the soil. Beastgate and cattlegate are terms used in different parts of the country to describe the right to graze a fixed number of animals on the common. It may be that the owners of the rights have the exclusive right to graze the land, the owner of the soil having no residual rights, or the owners of the rights may be grazing the land because they are also owners of the soil.

The right of sole vesture extends to the enjoyment of the corn, grass, underwood and sweepage (ie all that came under the sweep of the scythe). Pasturage is the right to take grass by the mouths of cattle. Herbage probably includes the right to cut the grass. Sole and several means that the owner of the soil has no interest in the right. The right may be held by one or more persons. It should be noted that sole rights which are not rights of vesture, herbage or pasture, although they are profits à prendre, are not rights of common and are not registrable under the

¹ *Alfred F. Beckett Ltd v Lyons* [1967] Ch 449 at 482.

² Before 1926, a right of common could exist as a customary right annexed to a copyhold estate. Copyholders could not acquire rights by prescription as they could not hold a freehold estate.

³ Section 61(1).

⁴ Section 22(1).

Commons Act 2006. Nor were they registrable under the Commons Registration Act 1965.

3.1.2 *Appendant or Appurtenant*

A right of common appendant was a common law incident which attached to the grant of arable land before the Statute of Quia Emptores 1290.⁵ It gave certain freehold tenants the right to use the manorial waste for horses and oxen which were needed to plough, and cows and sheep to manure, the arable land. The right could not be severed from the land to which it was appendant. A right appurtenant is annexed to land, but an appurtenant right of pasture could, before 28 June 2005, be severed from the land, provided the right of common was for a fixed number of animals. The grazing right, unlike a right appendant, is not just for cattle, sheep, horses and oxen. It has been held to exist in respect of donkeys, swine, goats and sheep. An appurtenant right may be annexed to any type of land including buildings, and the subject matter is not limited to grazing. There may, for instance, be a right to take peat for the benefit of a particular house. The other main difference between rights appendant and appurtenant was that, where the owner of an appendant right bought part of the common over which the right was exercised, he lost a proportionate part of the right because of the unity of ownership. On the other hand, where the owner of an appurtenant right bought part of the common, the whole of his right was extinguished.⁶

These distinctions are no longer relevant. The Commons Act 2006 provides that no registered common rights may be severed except in very limited circumstances.⁷ In addition, variation, apportionment and extinguishment can only take place in accordance with the Act.⁸

3.1.3 *In Gross*

There are rights of common which are not annexed to land. Sole rights are generally held in gross.⁹ In *Anderson v Bostock*,¹⁰ it was held that an exclusive

⁵ This statute abolished sub-infeudation, ie the lord of the manor could no longer carve out new freehold estates from his own interest. He could transfer only his own freehold estate, or part of it, to another, or grant lesser interests.

⁶ *Tyrringham's Case* (1854) 76 ER 973.

⁷ Commons Act 2006, s 9.

⁸ Once the sections are in force in the particular area. At the time of writing, these sections are in force only in the registration areas in England of the registration authorities specified in Commons Registration (England) Regulations 2014, SI 2014/3038, Sch 1 – that is, the original pioneer areas and Cumbria and North Yorkshire.

⁹ Some inclosure awards may have allotted sole rights as appurtenant to land. See *Gadsden on Commons and Greens* (Sweet and Maxwell), para 2.09.

¹⁰ [1976] Ch 312.

right of grazing could not be an appurtenant right. Appurtenant rights have to be related to the needs or use of the dominant tenement.

Since 28 June 2005, it has not been possible, except in limited specified circumstances, to convert appurtenant rights into rights in gross. However, all existing registered rights in gross will continue.

3.1.4 *Pur Cause de Vicinage*

This is a right which allows the commoners of one common to let their cattle¹¹ stray onto a contiguous common. It is ancillary to a right of common appendant, appurtenant or in gross, and it can exist only in connection with a common of pasture. The right must have existed since time immemorial or for a period which raises that presumption (eg in living memory). The cattle must have been originally turned out on the home common which must be capable of feeding that number of animals. The total enclosure of one common would terminate the arrangement. There are several statutory provisions which prevent such enclosure.

3.2 Subject Matter of Rights of Common

3.2.1 Introduction

The main classification of rights of common by subject matter is set out below. However, rights of common are not limited to these categories. The validity of any right depends on it being entered in the registers of common land or town or village greens (TVGs) held by the registration authorities.¹² For rights other than pasture, it may be necessary to look behind the registers to discover the nature and extent of the right. Sole rights, other than sole rights of vesture, herbage and pasture,¹³ are not rights of common.

3.2.2 Common of Pasture

As has been explained above, a right of pasture can be appendant, appurtenant or in gross. A common of pasture was limited either to a fixed number of animals or according to the principle of levancy and couchancy (ie the number of animals which could be over-wintered on the in-by farm; literally, the number of animals which could stand up and lie down). The Commons Registration Act 1965¹⁴ required all grazing rights to be registered for a fixed number of animals, including those which were formerly measured by levancy and couchancy.

¹¹ Cattle, in the context of rights of common of pasture, is not limited to bovine animals. See *Halsbury's Laws of England* (5th edition, 2009 reissue), Vol 13, para 436, note 1.

¹² Commons Act 2006, ss 6, 18.

¹³ See definition of rights of common: *ibid*, s 61(1).

¹⁴ Section 15.

IN THE MATTER OF AN APPLICATION TO DE-REGISTER COMMON LAND KNOWN AS “THE CHILDREN’S CENTRE, LOWER WAY, THATCHAM”

APPENDIX 10

Thatcham Inclosure Award 1852

I Thomas Edward Montgomerie of Dunter & Laing Here in the City of
Westminster in the County of Middlesex Land Surveyor Send greeting

And William Loh said Thomas Edward Westhouse has been appointed the Father in the matter of the said Intestate and having made the Declaration required by the said Act have duly held all my fore named and desire a grant sent to the said Intestate. Commenced my report in writing in the matter of the said Intestate and a large number of married individuals all other reports completed in the province of the said Act.

Still I should be most anxious to ascertain how far my largest a-
mount that the value of the respective allotments of James Caldwell, Edward Gilder, John Giddens, John
John, the deceased of Hannah, William Lawrence, Thomas Marshall, Thomas Allen, John Paradise,
William Galtberg, William Sherman, James Smith, the deceased, Richard Terven, Henry Dell,
John Knobel, and Joseph Knobel persons who lived in the lands to be sold, in each such
allotment should be made would not exceed five pounds worth the content of such persons in
possession of the former lands in them by the said Acts by no order under their seal shall be
made in the day of March in thousand eight hundred and fifty or divided into the said failure to
invest in such persons in fees of such allotments such sum of money as I should deem appropriate
in value with allotments which would have been made to them respectively in respect of their
right and interest in the said lands.

AND WHEREAS all such stipulations as have been made to my said Agents
having been heard and all such inquiries having been made in relation thereto as the said
Indians Commissioners have thought fit the said Indienne Commissioners have authorized and directed
me to cause to be drawn up and engrossed in parchment my Award with a view to such Indienne

2. Third Whereas Richard Hall of Bractham Esquire the person interested in a certain Freehold Messuage numbered 2370 on the map herunto annexed and William Jenkins of Bractham the person interested in that part of a certain Old Freehold Messuage or messuages situate aforesaid herunto annexed all situate in the parish of Bractham have in respectively given their assent in writing to the same being considered all that and part of the land to be enclosed

Don't Know Me

And by virtue of the power and authority in me vested I the said Thomas Edward, on Washington the 14th day of April do make and declare this to be my Award in the Matter of the said Inclosure and so this my Award I have caused the Map referred to by my said Report

And first I declare that the said Old Indentures numbered 1278 and 1660 on the said Map shall be deemed as authentic and part of the land to be inclosed

And I further declare that I have discontinued and stopped

The public Roads and Ways in the said parish hereafter particularly mentioned that is to say

A public Carriage Road and Highway commencing near the corner of a mess belonging to John James Esq. and extending under and over the Old Ash Common to the parish church adjoining Churchy parish

A public bridle Road commencing at the head leading from Thatcham to Cold Ash Common at the southeastern corner of a field belonging to William Mount Esquire and extending along the same into the said Road from Thatcham to Cold Ash Common

A public Footpath commencing at the head leading from Thatcham to Cold Ash Common near the school and ending amongst fields belonging to William Mount Esquire and John Robert Esquire with the Marsh

A public footpath commencing at the head leading from Thatcham to Cold Ash Common near a cottage and garden belonging to John Paradise and ending amongst fields belonging to John Robert Esquire William Mount Esquire and John Frederic Winterbottom Esquire into the head leading from the Railway Road towards Cold Ash Common and Ashmore Green

A public Carriage Road and Highway commencing at a gap in the public Road leading from Cold Ash Common to the Town Woods and ending amongst fields belonging to a head in Bucklebury parish which extends along a part of Bucklebury parish towards the Marlston Farm Inn

A public footpath commencing at the fields belonging to Miss Hemmings near the great and organic fields till it joins the public Road leading from Thatcham to the Rectory where at the Dunsy Ground

A public footpath commencing near the fifty second milestone on the London and Bath Road leading through certain fields belonging to Colliers Farm along the Bucklebury Road and terminating at a field called the Lower Hay Field belonging to William Mount Esquire

A public footpath commencing at a field belonging to Richard Whittle near Ashmore Green and ending with Cold Ash Common near cottages and gardens belonging to William Mount

And I do hereby declare that I have set out and appointed and do hereby set out and appoint the following public Carriage Roads or Highways that is to say
One public Carriage Road or Highway of the width of twenty feet to be called Redshot Hill Road commencing at a point marked a on the said map and extending thence in a northerly and then in a north easterly direction to and terminating at a point marked b

One other public Carriage Road or Highway of the width of twenty feet to be called Jersey Road commencing at a point marked c on the said map and extending thence in a easterly direction along Cold Ash Common to and terminating at a point marked c on the said map

One other public Carriage Road or Highway of the width of twenty feet to be called Fishers Green Road commencing at a point marked d on the said map and extending thence in a north easterly direction along Cold Ash Common to and terminating at a point marked e on the said map

One other public Carriage Road or Highway of the width of twenty feet to be called Ashmore Green Road commencing at a point marked f on the said map and extending thence in a easterly direction along Cold Ash Common to and terminating at a point marked g on the said map

One other public Carriage Road or Highway of the width of twenty feet to be called Cold Ash River Road commencing at a point marked h on the said map and extending thence in a easterly then in a northerly and then in a north easterly direction through Cold Ash Common to and terminating at a point marked i on the said map

And one other public Carriage Road or Highway of the width of twenty feet to be called Thatcham new Road commencing at a point marked k on the said map and extending in a easterly direction through a field belonging to William Jenkins and George Green to and terminating at a point marked l on the said map

And I further declare that I have set out and appointed and do hereby set out and appoint the following private Carriage and Conveyance Road that is to say

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One private carriage and Occupation Road numbered 1 on the said map of the width of Twelve feet commencing at a point marked M on the said map and extending thence in an Easterly direction through allotment numbered 2 on the said map to and terminating at a point marked N on the said map which said Road is set out for the use of the Owner and Occupier for the time being of the Old Endowments numbered 1 and 2 and with which the said Road leads or communicates.

And I direct and appoint that the said Private Carriage and Occupation Road shall forever hereafter be maintained and repaired by the Owner and Proprietor of the allotment numbered 2 on the said map from the commencement of the said Road to the North East corner of the said allotment numbered 2 then by the Owner and Proprietor of the Old Endowments adjoining the said Road as far as the said Road extends alongside the same and from thence to the termination of the said Road by the Owner and Proprietor of the allotment numbered 4 on the said map.

One other private carriage and Occupation Road numbered 11 on the said map of the width of Twelve feet commencing at a point marked O on the said map and extending thence in an Easterly and a North Easterly direction through the allotment numbered 10 on the said map to and terminating at a point marked P on the said map which said Road is set out for the use of the Owner and Occupier for the time being of the allotment numbered 10 and the Old Endowments numbered 115 and 117 on the said map.

And I direct and appoint that the said Private Carriage and Occupation Road shall forever hereafter be maintained and repaired by the Owner and Proprietor of the said allotment numbered 10 and the said Old Endowments in equal shares and proportions.

One other private carriage and Occupation Road numbered 111 on the said map of the width of Twelve feet commencing at a point marked Q on the said map and extending thence in a North Easterly direction through the allotment numbered 10 on the said map to and terminating at a point marked R on the said map which said Road is set out for the use of the Owner and Occupier for the time being of the Old Endowments numbered 126 and 127 and with which the said Road leads or communicates.

And I direct and appoint that the said Private Carriage and Occupation Road shall forever hereafter be maintained and repaired by the Owner and Proprietor of the said Old Endowments.

One other private carriage and Occupation Road numbered 119 on the said map of the width of Twelve feet commencing at a point marked S on the said map and extending thence in a North Easterly direction through the allotment numbered 20 on the said map to and terminating at a point marked T on the said map which said Road is set out for the use of the Owner and Occupier of the Old Endowments numbered 134 on the said map.

And I direct and appoint that the said Private Carriage and Occupation Road shall forever hereafter be maintained and repaired by the Owner and Proprietor of the said Old Endowments.

One other private carriage and Occupation Road numbered V on the said map of the width of Twelve feet commencing at a point marked S on the said map and extending thence in a North Easterly direction through the allotment numbered 20 on the said map to and terminating at a point marked U on the said map which said Road is set out for the use of the Owner and Occupier of the Old Endowments and with which the said Road leads or communicates.

And I direct and appoint that the said Private Carriage and Occupation Road shall forever hereafter be maintained and repaired by the Owner and Proprietor of the said Old Endowments as far as the said Road extends alongside the same respectively.

One other private carriage and Occupation Road numbered VI on the said map

The said Map of the parish of Twelve feet commencing at a point marked V on the said Map and extending thence in a westerly direction through the allotment numbered 25 on the said Map to and terminating at a point marked VI on the said Map which said Road is set out for the use of the Curator and Occupier for the time being of the allotment numbered 25 on the said Map.

And I direct and appoint that the said private carriage and Occupation Road shall for ever hereafter be maintained and repaired by the Curator and Proprietor of the said allotment numbered 25 on the said Map.

One other private carriage and Occupation Road numbered VII on the said Map of the parish of Twelve feet commencing at a point marked X on the said Map and extending thence in a westerly direction through the allotment numbered 25 on the said Map to and terminating at a point marked Y on the said Map which said Road is set out for the use of the Curator and Occupier for the time being of the Old Inclosure numbered 555 on the said Map.

And I direct and appoint that the said private and Occupation Road shall for ever hereafter be maintained and repaired by the Curator and Proprietor of the same Old Inclosure.

One other private carriage and Occupation Road numbered VIII on the said Map of the parish of Twelve feet commencing at a point marked A on the said Map and extending thence in an easterly and westerly direction to and terminating at a point marked B on the said Map which said Road is set out for the use of the Curator and Occupier for the time being of the Old Inclosures numbered 555, 515 and 517 on the said Map.

And I direct and appoint that the said Private carriage and Occupation Road shall for ever hereafter be maintained and repaired by the Curator and Proprietors of the same Old Inclosures in equal shares and proportions.

One other private carriage and Occupation Road numbered IX on the said Map of the parish of Twelve feet commencing at a point marked C on the said Map and extending thence in a westerly direction through the allotment numbered 67 to and terminating at a point marked D on the said Map which said Road is set out for the use of the Curator and Occupier for the time being of the Old Inclosure numbered (619) and with which the said Road leads to communicate.

And I direct and appoint that the said private carriage and Occupation Road shall for ever hereafter be maintained and repaired by the Curator and Proprietor of the said Old Inclosure.

One other private carriage and Occupation Road numbered X on the said Map of the parish of Twelve feet commencing at a point marked E on the said Map and extending thence in a westerly direction through the allotment numbered 30 on the said Map to and terminating at a point marked F on the said Map which said Road is set out for the use of the Curator and Occupier for the time being of the Old Inclosure numbered 555 on the said Map.

And I direct and appoint that the said private carriage and Occupation Road shall for ever hereafter be maintained and repaired by the Curator and Proprietor for the time being of the same Old Inclosure.

One other private carriage and Occupation Road numbered XI on the said Map of the parish of Twelve feet commencing at a point marked G on the said Map and extending thence in a westerly direction through the allotment numbered 30 on the said Map to and terminating at a point marked H on the said Map which said Road is set out for the use of the Curator and Occupier for the time being of the Old Inclosure numbered 555 to and with which the said Road leads to communicate.

And I direct and appoint that the said private carriage and Occupation Road shall for ever hereafter be maintained and repaired by the Curator and Proprietor of the said Old Inclosure.

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One other private carriage and occupation Road numbered XII on the said Map of the width of Twenty feet commencing at a point marked X on the said Map and extending thence in an easterly direction to and terminating at a point marked K on the said Map which said Road is set out for the use of the Owners and Occupiers for the horse being of the allotments to and with which the said Road leads or communicates.

One other private carriage and occupation Road numbered XIII on the said Map of the width of Twelve feet commencing at a point marked L on the said Map and extending thence in a southerly direction to and terminating at a point marked M on the said Map which said Road is set out for the use of the Owners and Occupiers for the horse being of the allotments to and with which the said Road leads or communicates.

One other private carriage and occupation Road numbered XIV on the said Map of the width of Twelve feet commencing at a point marked N on the said Map and extending thence in a southerly direction to and terminating at a point marked O on the said Map which said Road is set out for the use of the Owners and Occupiers for the horse being of the allotments to and with which the said Road leads or communicates.

One other private carriage and occupation Road numbered XV on the said Map of the width of Twelve feet commencing at a point marked P on the said Map and extending thence in a southerly direction to and terminating at a point marked Q on the said Map which said Road is set out for the use of the Owners and Occupiers for the horse being of the allotments to and with which the said Road leads or communicates.

And I direct and appoint that the expenses of maintaining and repairing the said Private Carriage and Occupation Roads numbered XII, XIII, XIV and XV on the said Map shall for ever hereafter be paid by the Owners and Occupiers of the allotments next hereinafter set forth in the proportions following that is to say

Berkshire Record Office		Proposals of	
Allotment	Proportion of the Road	Proportion of the Road	Proportion of the Road
141	1/4	1/4	1/4
142	1/4	1/4	1/4
143	1/4	1/4	1/4
144	1/4	1/4	1/4
145	1/4	1/4	1/4
146	1/4	1/4	1/4
147	1/4	1/4	1/4
148	1/4	1/4	1/4
149	1/4	1/4	1/4
150	1/4	1/4	1/4
151	1/4	1/4	1/4
152	1/4	1/4	1/4
153	1/4	1/4	1/4
154	1/4	1/4	1/4
155	1/4	1/4	1/4
156	1/4	1/4	1/4

One other private carriage and occupation Road numbered XVI on the said Map of the width of Twenty feet commencing at a point marked R on the said Map and extending thence in a southerly and southeasterly direction through this Road to and terminating at a point marked S on the said Map which said Road is set out for the use of the Owners and Occupiers for the horse being of the allotments to and with which the said Road leads or communicates.

One other private carriage and occupation Road numbered XVII on the said Map of the width of Twenty feet commencing at a point marked T on the said Map and extending thence in an easterly direction on the South side of the River to and terminating at a point marked U on the said Map.

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Therbert Joseph *71* *The Fish Appointment* *Wk 156 1882* *125*
Height of Common
apartment to 111

Unto Charlotte Anna Froment	1.	—.
" William Hornt Esquire	1.	16.
" George Whit Esquire	1.	4.

In *Confession*

Wm. L. G. Thompson

homogeneous for England and for a number of years, and are superior to any now raised in England. It is to be hoped that before long they will be the staple of the soil in the thousands of acres now in grass.

Persons interested	Sum of money being allotment			Funds in resp. of which claims allowed and allotments of a share of money made	Description	A	x	p	Shares
	£	s	d						
James John	3	1			Rights of Common appurtenant to Old Inclosures numbered on the Title Appointments 1839. 1850	1	1	27	Shroton
Henrichs Ansgar	2	14	6		Rights of Common appurtenant to Old Inclosures numbered on the Title Appointments 1866 1867	5	2	7	
Lawrence William	5	6			Rights of Common appurtenant to Old Inclosures numbered on the Title Appointments 1863	1	1	11	
Marshall Thomas	14	7			Rights of Common appurtenant to Old Inclosures numbered on the Title Appointments 1827	1	1	2	
Paterson Thomas	15	8			Rights of Common appurtenant to Old Inclosures numbered on the Title Appointments 1294 1235 1236	1	1	14	
Paradise John	7	6			Rights of Common appurtenant to Old Inclosures numbered on the Title Appointments 1866 1867 1868 1869 1862 1864 1865 1862	1	1	30	
Padbury William	14	4			Rights of Common appurtenant to Old Inclosures numbered on the Title Appointments 1245	1	1	1	
Plummer William	10				Rights of Common appurtenant to Old Inclosures numbered on the Title Appointments 1252	1	1	8	
Prout James	6	5			Rights of Common appurtenant to Old Inclosures numbered on the Title Appointments 994 995 995	1	1	30	

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Persons interested	Alotment	Since when made and numbered by order of allotment	Land in respect of which claims allowed and allotments made	Description	Amount	Summe		
	Map	Cont. a r p			£ s d			
White George (enter plan)	16	16 26	Against the allotments numbered 17 and 20 and against the public roads	Rights of Common appurtenant to Old Inclosure numbered on the 1st Inclosure map of 1841. 215. 217. 220. 340. 386. 390. 399. 400. 401. 402. 403. 404. 405. 406. 407. 408. 409. 410. 411. 412. 413. 414. 415. 416. 417. 418. 419. 420. 421. 422. 423. 424. 425. 426. 427. 428. 429. 430. 431. 432. 433. 434. 435. 436. 437. 438. 439. 440. 441. 442. 443. 444. 445. 446. 447. 448. 449. 450. 451. 452. 453. 454. 455. 456. 457. 458. 459. 460. 461. 462. 463. 464. 465. 466. 467. 468. 469. 470. 471. 472. 473. 474. 475. 476. 477. 478. 479. 480. 481. 482. 483. 484. 485. 486. 487. 488. 489. 490. 491. 492. 493. 494. 495. 496. 497. 498. 499. 500. 501. 502. 503. 504. 505. 506. 507. 508. 509. 510. 511. 512. 513. 514. 515. 516. 517. 518. 519. 520. 521. 522. 523. 524. 525. 526. 527. 528. 529. 530. 531. 532. 533. 534. 535. 536. 537. 538. 539. 540. 541. 542. 543. 544. 545. 546. 547. 548. 549. 550. 551. 552. 553. 554. 555. 556. 557. 558. 559. 560. 561. 562. 563. 564. 565. 566. 567. 568. 569. 570. 571. 572. 573. 574. 575. 576. 577. 578. 579. 580. 581. 582. 583. 584. 585. 586. 587. 588. 589. 590. 591. 592. 593. 594. 595. 596. 597. 598. 599. 600. 601. 602. 603. 604. 605. 606. 607. 608. 609. 610. 611. 612. 613. 614. 615. 616. 617. 618. 619. 620. 621. 622. 623. 624. 625. 626. 627. 628. 629. 630. 631. 632. 633. 634. 635. 636. 637. 638. 639. 640. 641. 642. 643. 644. 645. 646. 647. 648. 649. 650. 651. 652. 653. 654. 655. 656. 657. 658. 659. 660. 661. 662. 663. 664. 665. 666. 667. 668. 669. 670. 671. 672. 673. 674. 675. 676. 677. 678. 679. 680. 681. 682. 683. 684. 685. 686. 687. 688. 689. 690. 691. 692. 693. 694. 695. 696. 697. 698. 699. 700. 701. 702. 703. 704. 705. 706. 707. 708. 709. 710. 711. 712. 713. 714. 715. 716. 717. 718. 719. 720. 721. 722. 723. 724. 725. 726. 727. 728. 729. 730. 731. 732. 733. 734. 735. 736. 737. 738. 739. 740. 741. 742. 743. 744. 745. 746. 747. 748. 749. 750. 751. 752. 753. 754. 755. 756. 757. 758. 759. 760. 761. 762. 763. 764. 765. 766. 767. 768. 769. 770. 771. 772. 773. 774. 775. 776. 777. 778. 779. 780. 781. 782. 783. 784. 785. 786. 787. 788. 789. 790. 791. 792. 793. 794. 795. 796. 797. 798. 799. 800. 801. 802. 803. 804. 805. 806. 807. 808. 809. 810. 811. 812. 813. 814. 815. 816. 817. 818. 819. 820. 821. 822. 823. 824. 825. 826. 827. 828. 829. 830. 831. 832. 833. 834. 835. 836. 837. 838. 839. 840. 841. 842. 843. 844. 845. 846. 847. 848. 849. 850. 851. 852. 853. 854. 855. 856. 857. 858. 859. 860. 861. 862. 863. 864. 865. 866. 867. 868. 869. 870. 871. 872. 873. 874. 875. 876. 877. 878. 879. 880. 881. 882. 883. 884. 885. 886. 887. 888. 889. 890. 891. 892. 893. 894. 895. 896. 897. 898. 899. 900. 901. 902. 903. 904. 905. 906. 907. 908. 909. 910. 911. 912. 913. 914. 915. 916. 917. 918. 919. 920. 921. 922. 923. 924. 925. 926. 927. 928. 929. 930. 931. 932. 933. 934. 935. 936. 937. 938. 939. 940. 941. 942. 943. 944. 945. 946. 947. 948. 949. 950. 951. 952. 953. 954. 955. 956. 957. 958. 959. 960. 961. 962. 963. 964. 965. 966. 967. 968. 969. 970. 971. 972. 973. 974. 975. 976. 977. 978. 979. 980. 981. 982. 983. 984. 985. 986. 987. 988. 989. 990. 991. 992. 993. 994. 995. 996. 997. 998. 999. 1000.	339	1	24	Feuchter
	179	1 25	Eastern and western sides	Common Field Land				
	182	2 3 9	South eastern side	1840. 1860. 1870	4	3	29	
		9 3 04						
The Master and Fellows of Pembroke College Oxford and George White their Agents	11	1 52	South Western and Western sides	Rights of Common appurtenant to Old Inclosure numbered on the 1st Inclosure map of 1841. 211. 212. 219.	17	7		Feuchter subject to 21st map
And I further declare that I have in pursuance of the said Order of the said Commissioners dated the twentieth day of March one thousand eight hundred and fifty one awarded and do hereby allot and award the sums of money hereinafter set forth in lieu of allotments								
Persons interested	Sums of money in lieu of allotments			Lands in respect of which claims allowed and allotments of a sum of money made				
	£	s	d	Description	£	s	d	Summe
Colburn James	10	8		Rights of Common appurtenant to Old Inclosure numbered on the 1st Inclosure map of 1841. 211. 212. 219.	1			Feuchter
Fidler Edward	19	9		Rights of Common appurtenant to Old Inclosure numbered on the 1st Inclosure map of 1841. 211. 212. 219.	1		26	
Spencer John	4	2		Rights of Common appurtenant to Old Inclosure numbered on the 1st Inclosure map of 1841. 211. 212. 219.			39	

Persons interested	Attachments		Tenure held made and circumstances by virtue of attachment	Tenure on report of which claims allowed and settlements made	Description	Extent a. r. p.	Tenure
	Plan	Extent a. r. p.					
Hindclutton John Frederick Hindclutton James Edward and Hindclutton Richard Jenssen	177	2 30	Northern and Western sides	Common Field Land 1892 1820 1860 1860		2 14	Reckoned
Hindclutton John Frederick	178	1 3 34	Northern and Southwestern sides	Rights of Common appurtenant to the enclosures numbered on the Title Appointments 622 623 625 626 628 629 630 631 632 633 634 635 636 637 638 639 640 641 642 643 644 645		1 2 32	
	179	1 1 32	Southern and Western sides	Heath Common in Wickham and gravel 282			
	170	2 39	Northern and Western sides	Common Field Land 1811		3 0	
Wickham Michael	181	1	Southeastern and Northwestern sides	Rights of Common appurtenant to the enclosures numbered on the Title Appointments 476		20	
	176	1 30	Southern and Western sides	For two Commons in the stone and gravel 281			
Wickham Michael	160	1 30	Northern and Western sides	Heath Common in the stone and gravel 280			
Woodbridge Thomas	182	3	Southwestern and Northwestern sides	Rights of Common appurtenant to the enclosures numbered on the Title Appointments 477 478		1 14	
Hollin Sarah	45	12	Southwestern and Southwestern sides	Rights of Common appurtenant to the enclosures numbered on the Title Appointments 500 501 502 503 504		4 1 16	
	79	10	Southwestern and Southwestern sides				
		23					

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Persons interested	Holders		Tenure to be made and maintained by owner of allotment	Description	Acreage		Notes
	First	Second			a	p	
George William Jeffries	60	2	Northeastern and southeastern sides	Rights of Common appurtenant to Old Inclosures numbered on the 18th Appurtenance 2	26		Richard
Shoud Edward	105	1 1/4	Eastern and southeastern sides	Rights of Common appurtenant to Old Inclosures numbered on the 18th Appurtenance 677, 678, 719	24	2 20	
Henry Dale and Shoud Edward Owners of Edward Shoud	171	1 1/2	Eastern and Western sides	For two Commons in the Moor and Gravel Pit			
Charles John as purchaser from Shoud Edward	157	2	Northern and Eastern sides	For one Common in the Moor and Gravel Pit			
William Harris and William Deacon Owners of Shoud Richard	149	2 29	Northern and Eastern sides	For two Commons in the Moor and Gravel Pit			
Shoud Thomas	81	1	Northeastern and southeastern sides	Rights of Common appurtenant to Old Inclosures numbered on the 18th Appurtenance 617	14		
Sevin Robert	126	1 22	Northeastern and southeastern sides	Rights of Common appurtenant to Old Inclosures numbered on the 18th Appurtenance 661, 662, 663, 679, 720, 721, 722, 1101, 1102, 1142, 1102, 1144, 1145, 1146, 1147, 1148, 1149, 1150	48	26	
Charles John as purchaser from Sevin Robert	65	2 1/2	Northeastern and southeastern sides				
Sevin Robert	158	1 2 0	Northern and Eastern sides	For one Common in the Moor and Gravel Pit			
	188	2 0	Northeastern side	Common Field Land 1920	2	14	
Robert Sevin and John Adams Owners of Sevin Richard	160	1 22	Northern and Eastern sides	For one Common in the Moor and Gravel Pit			
Shaw Richard	38	3	Northeastern and southeastern sides	Rights of Common appurtenant to Old Inclosures numbered on the 18th Appurtenance 540, 541, 550, 551	2	39	

Persons interested	Hatchments		Tenure to be made and maintained by owner of allotment	Tenure in respect of which claims allowed and alterations made	Description	Island a 2 b	Totals
	Plot	Subplot					
Deane James	112	1	17 Northern and Southwestern sides	Rights of Common appurtenant to Old Inclosure numbered on the Fish appurtenment 526 129 129		9 2 36	Redford
Plant Mary	27	2	Southwestern and Southwestern side	Rights of Common appurtenant to Old Inclosure numbered on the Fish appurtenment 535		1 2 36	"
Pauling George	80	1	Southwestern and Southwestern side	Rights of Common appurtenant to Old Inclosure numbered on the Fish appurtenment part of enclosure 6		1 2 17	"
Quitch George	16	5	Southwestern and Southwestern side	Rights of Common appurtenant to Old Inclosure numbered on the Fish appurtenment 526		1 2 2	"
Quarungton William	111	10	Northern and Southwestern sides	Rights of Common appurtenant to Old Inclosure numbered on the Fish appurtenment 509 510 511		3 2 14	"
Rogers George	50	6	Against the Public and Private Roads	Rights of Common appurtenant to Old Inclosure numbered on the Fish appurtenment 526 527 528 529 530 531		1 2 1	"
Stout Thomas	50	14	South Western and South Eastern sides	Rights of Common appurtenant to Old Inclosure numbered on the Fish appurtenment 526 527 528 529 530 531 532 533		1 2 1	"
Reading Iron Council	109	11	Northern and Southwestern sides	Rights of Common appurtenant to Old Inclosure numbered on the Fish appurtenment 504		3 2 25	"
Chalk John as purchaser from Satchell John	64	4	Southwestern and Southwestern side	Rights of Common appurtenant to Old Inclosure numbered on the Fish appurtenment 291 292 293		1 2 1	"
	114	20	Northern and Western side	For the Common in the New and Grant 521		1 2 1	"

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Persons interested	Extent		Sums to be made and maintained by name of	Description	Sums in respect of which claims allowed and allowed made		Journal
	Don	Extent			Extent	a s p	
Mount William Exposed (continued)				612 ⁰ 613 ⁰ 621 621 621 ⁰ 614 ⁰ 615 ⁰ 650 ⁰ 652 653 654 654 654 657 658 661 661 692 693 209 210 213 214 224 227 228 229 230 231 234 236 237 238 239 240 241 242 243 244 245 246 247 248 249 250 251 252 253 254 255 256 257 258 259 260 261 262 263 264 265 266 267 268 269 270 271 272 273 274 275 276 277 278 279 280 281 282 283 284 285 286 287 288 289 290 291 292 293 294 295 296 297 298 299 300 301 302 303 304 305 306 307 308 309 310 311 312 313 314 315 316 317 318 319 320 321 322 323 324 325 326 327 328 329 330 331 332 333 334 335 336 337 338 339 340 341 342 343 344 345 346 347 348 349 350 351 352 353 354 355 356 357 358 359 360 361 362 363 364 365 366 367 368 369 370 371 372 373 374 375 376 377 378 379 380 381 382 383 384 385 386 387 388 389 390 391 392 393 394 395 396 397 398 399 400 401 402 403 404 405 406 407 408 409 410 411 412 413 414 415 416 417 418 419 420 421 422 423 424 425 426 427 428 429 430 431 432 433 434 435 436 437 438 439 440 441 442 443 444 445 446 447 448 449 450 451 452 453 454 455 456 457 458 459 460 461 462 463 464 465 466 467 468 469 470 471 472 473 474 475 476 477 478 479 480 481 482 483 484 485 486 487 488 489 490 491 492 493 494 495 496 497 498 499 500 501 502 503 504 505 506 507 508 509 510 511 512 513 514 515 516 517 518 519 520 521 522 523 524 525 526 527 528 529 530 531 532 533 534 535 536 537 538 539 540 541 542 543 544 545 546 547 548 549 550 551 552 553 554 555 556 557 558 559 560 561 562 563 564 565 566 567 568 569 570 571 572 573 574 575 576 577 578 579 580 581 582 583 584 585 586 587 588 589 590 591 592 593 594 595 596 597 598 599 600 601 602 603 604 605 606 607 608 609 610 611 612 613 614 615 616 617 618 619 620 621 622 623 624 625 626 627 628 629 630 631 632 633 634 635 636 637 638 639 640 641 642 643 644 645 646 647 648 649 650 651 652 653 654 655 656 657 658 659 660 661 662 663 664 665 666 667 668 669 670 671 672 673 674 675 676 677 678 679 680 681 682 683 684 685 686 687 688 689 690 691 692 693 694 695 696 697 698 699 700 701 702 703 704 705 706 707 708 709 710 711 712 713 714 715 716 717 718 719 720 721 722 723 724 725 726 727 728 729 730 731 732 733 734 735 736 737 738 739 740 741 742 743 744 745 746 747 748 749 750 751 752 753 754 755 756 757 758 759 760 761 762 763 764 765 766 767 768 769 770 771 772 773 774 775 776 777 778 779 780 781 782 783 784 785 786 787 788 789 790 791 792 793 794 795 796 797 798 799 800 801 802 803 804 805 806 807 808 809 810 811 812 813 814 815 816 817 818 819 820 821 822 823 824 825 826 827 828 829 830 831 832 833 834 835 836 837 838 839 840 841 842 843 844 845 846 847 848 849 850 851 852 853 854 855 856 857 858 859 860 861 862 863 864 865 866 867 868 869 870 871 872 873 874 875 876 877 878 879 880 881 882 883 884 885 886 887 888 889 890 891 892 893 894 895 896 897 898 899 900 901 902 903 904 905 906 907 908 909 910 911 912 913 914 915 916 917 918 919 920 921 922 923 924 925 926 927 928 929 930 931 932 933 934 935 936 937 938 939 940 941 942 943 944 945 946 947 948 949 950 951 952 953 954 955 956 957 958 959 960 961 962 963 964 965 966 967 968 969 970 971 972 973 974 975 976 977 978 979 980 981 982 983 984 985 986 987 988 989 990 991 992 993 994 995 996 997 998 999 1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011 1012 1013 1014 1015 1016 1017 1018 1019 1020 1021 1022 1023 1024 1025 1026 1027 1028 1029 1030 1031 1032 1033 1034 1035 1036 1037 1038 1039 1040 1041 1042 1043 1044 1045 1046 1047 1048 1049 1050 1051 1052 1053 1054 1055 1056 1057 1058 1059 1060 1061 1062 1063 1064 1065 1066 1067 1068 1069 1070 1071 1072 1073 1074 1075 1076 1077 1078 1079 1080 1081 1082 1083 1084 1085 1086 1087 1088 1089 1090 1091 1092 1093 1094 1095 1096 1097 1098 1099 1100 1101 1102 1103 1104 1105 1106 1107 1108 1109 1110 1111 1112 1113 1114 1115 1116 1117 1118 1119 1120 1121 1122 1123 1124 1125 1126 1127 1128 1129 1130 1131 1132 1133 1134 1135 1136 1137 1138 1139 1140 1141 1142 1143 1144 1145 1146 1147 1148 1149 1150 1151 1152 1153 1154 1155 1156 1157 1158 1159 1160 1161 1162 1163 1164 1165 1166 1167 1168 1169 1170 1171 1172 1173 1174 1175 1176 1177 1178 1179 1180 1181 1182 1183 1184 1185 1186 1187 1188 1189 1190 1191 1192 1193 1194 1195 1196 1197 1198 1199 1200 1201 1202 1203 1204 1205 1206 1207 1208 1209 1210 1211 1212 1213 1214 1215 1216 1217 1218 1219 1220 1221 1222 1223 1224 1225 1226 1227 1228 1229 1230 1231 1232 1233 1234 1235 1236 1237 1238 1239 1240 1241 1242 1243 1244 1245 1246 1247 1248 1249 1250 1251 1252 1253 1254 1255 1256 1257 1258 1259 1260 1261 1262 1263 1264 1265 1266 1267 1268 1269 1270 1271 1272 1273 1274 1275 1276 1277 1278 1279 1280 1281 1282 1283 1284 1285 1286 1287 1288 1289 1290 1291 1292 1293 1294 1295 1296 1297 1298 1299 1300 1301 1302 1303 1304 1305 1306 1307 1308 1309 1310 1311 1312 1313 1314 1315 1316 1317 1318 1319 1320 1321 1322 1323 1324 1325 1326 1327 1328 1329 1330 1331 1332 1333 1334 1335 1336 1337 1338 1339 1340 1341 1342 1343 1344 1345 1346 1347 1348 1349 1350 1351 1352 1353 1354 1355 1356 1357 1358 1359 1360 1361 1362 1363 1364 1365 1366 1367 1368 1369 1370 1371 1372 1373 1374 1375 1376 1377 1378 1379 1380 1381 1382 1383 1384 1385 1386 1387 1388 1389 1390 1391 1392 1393 1394 1395 1396 1397 1398 1399 1400 1401 1402 1403 1404 1405 1406 1407 1408 1409 1410 1411 1412 1413 1414 1415 1416 1417 1418 1419 1420 1421 1422 1423 1424 1425 1426 1427 1428 1429 1430 1431 1432 1433 1434 1435 1436 1437 1438 1439 1440 1441 1442 1443 1444 1445 1446 1447 1448 1449 1450 1451 1452 1453 1454 1455 1456 1457 1458 1459 1460 1461 1462 1463 1464 1465 1466 1467 1468 1469 1470 1471 1472 1473 1474 1475 1476 1477 1478 1479 1480 1481 1482 1483 1484 1485 1486 1487 1488 1489 1490 1491 1492 1493 1494 1495 1496 1497 1498 1499 1500 1501 1502 1503 1504 1505 1506 1507 1508 1509 1510 1511 1512 1513 1514 1515 1516 1517 1518 1519 1520 1521 1522 1523 1524 1525 1526 1527 1528 1529 1530 1531 1532 1533 1534 1535 1536 1537 1538 1539 1540 1541 1542 1543 1544 1545 1546 1547 1548 1549 1550 1551 1552 1553 1554 1555 1556 1557 1558 1559 1560 1561 1562 1563 1564 1565 1566 1567 1568 1569 1570 1571 1572 1573 1574 1575 1576 1577 1578 1579 1580 1581 1582 1583 1584 1585 1586 1587 1588 1589 1590 1591 1592 1593 1594 1595 1596 1597 1598 1599 1600 1601 1602 1603 1604 1605 1606 1607 1608 1609 1610 1611 1612 1613 1614 1615 1616 1617 1618 1619 1620 1621 1622 1623 1624 1625 1626 1627 1628 1629 1630 1631 1632 1633 1634 1635 1636 1637 1638 1639 1640 1641 1642 1643 1644 1645 1646 1647 1648 1649 1650 1651 1652 1653 1654 1655 1656 1657 1658 1659 1660 1661 1662 1663 1664 1665 1666 1667 1668 1669 1670 1671 1672 1673 1674 1675 1676 1677 1678 1679 1680 1681 1682 1683 1684 1685 1686 1687 1688 1689 1690 1691 1692 1693 1694 1695 1696 1697 1698 1699 1700 1701 1702 1703 1704 1705 1706 1707 1708 1709 1710 1711 1712 1713 1714 1715 1716 1717 1718 1719 1720 1721 1722 1723 1724 1725 1726 1727 1728 1729 1730 1731 1732 1733 1734 1735 1736 1737 1738 1739 1740 1741 1742 1743 1744 1745 1746 1747 1748 1749 1750 1751 1752 1753 1754 1755 1756 1757 1758 1759 1760 1761 1762 1763 1764 1765 1766 1767 1768 1769 1770 1771 1772 1773 1774 1775 1776 1777 1778 1779 1780 1781 1782 1783 1784 1785 1786 1787 1788 1789 1790 1791 1792 1793 1794 1795 1796 1797 1798 1799 1800 1801 1802 1803 1804 1805 1806 1807 1808 1809 1810 1811 1812 1813 1814 1815 1816 1817 1818 1819 1820 1821 1822 1823 1824 1825 1826 1827 1828 1829 1830 1831 1832 1833 1834 1835 1836 1837 1838 1839 1840 1841 1842 1843 1844 1845 1846 1847 1848 1849 1850 1851 1852 1853 1854 1855 1856 1857 1858 1859 1860 1861 1862 1863 1864 1865 1866 1867 1868 1869 1870 1871 1872 1873 1874 1875 1876 1877 1878 1879 1880 1881 1882 1883 1884 1885 1886 1887 1888 1889 1890 1891 1892 1893 1894 1895 1896 1897 1898 1899 1900 1901 1902 1903 1904 1905 1906 1907 1908 1909 1910 1911 1912 1913 1914 1915 1916 1917 1918 1919 1920 1921 1922 1923 1924 1925 1926 1927 1928 1929 1930 1931 1932 1933 1934 1935 1936 1937 1938 1939 1940 1941 1942 1943 1944 1945 1946 1947 1948 1949 1950 1951 1952 1953 1954 1955 1956 1957 1958 1959 1960 1961 1962 1963 1964 1965 1966 1967 1968 1969 1970 1971 1972 1973 1974 1975 1976 1977 1978 1979 1980 1981 1982 1983 1984 1985 1986 1987 1988 1989 1990 1991 1992 1993 1994 1995 1996 1997 1998 1999 2000 2001 2002 2003 2004 2005 2006 2007 2008 2009 2010 2011 2012 2013 2014 2015 2016 2017 2018 2019 2020 2021 2022 2023 2024 2025 2026 2027 2028 2029 2030 2031 2032 2033 2034 2035 2036 2037 2038 2039 2040 2041 2042 2043 2044 2045 2046 2047 2048 2049 2050 2051 2052 2053 2054 2055 2056 2057 2058 2059 2060 2061 2062 2063 2064 2065 2066 2067 2068 2069 2070 2071 2072 2073 2074 2075 2076 2077 2078 2079 2080 2081 2082 2083 2084 2085 2086 2087 2088 2089 2090 2091 2092 2093 2094 2095 2096 2097 2098 2099 2100 2101 2102 2103 2104 2105 2106 2107 2108 2109 2110 2111 2112 2113 2114 2115 2116 2117 2118 2119 2120 2121 2122 2123 2124 2125 2126 2127 2128 2129 2130 2131 2132 2133 2134 2135 2136 2137 2138 2139 2140 2141 2142 2143 2144 2145 2146 2147 2148 2149 2150 2151 2152 2153 2154 2155 2156 2157 2158 2159 2160 2161 2162 2163 2164 2165 2166 2167 2168 2169 2170 2171 2172 2173 2174 2175 2176 2177 2178 2179 2180 2181 2182 2183 2184 2185 2186 2187 2188 2189 2190 2191 2192 2193 2194 2195 2196 2197 2198 2199 2200 2201 2202 2203 2204 2205 2206 2207 2208 2209 2210 2211 2212 2213 2214 2215 2216 2217 2218 2219 2220 2221 2222 2223 2224 2225 2226 2227 2228 2229 2230 2231 2232 2233 2234 2235 2236 2237 2238 2239 2240 2241 2242 2243 2244 2245 2246 2247 2248 2249 2250 2251 2252 2253 2254 2255 2256 2257 2258 2259 2260 2261 2262 2263 2264 2265 2266 2267 2268 2269 2270 2271 2272 2273 2274 2275 2276 2277 2278 2279 2280 2281 2282 2283 2284 2285 2286 2287 2288 2289 2290 2291 2292 2293 2294 2295 2296 2297 2298 2299 2300 2301 2302 2303 2304 2305 2306 2307 2308 2309 2310 2311 2312 2313 2314 2315 2316 2317 2318 2319 2320 2321 2322 2323 2324 2325 2326 2327 2328 2329 2330 2331 2332 2333 2334 2335 2336 2337 2338 2339 2340 2341 2342 2343 2344 2345 2346 2347 2348 2349 2350 2351 2352 2353 2354 2355 2356 2357 2358 2359 2360 2361 2362 2363 2364 2365 2366 2367 2368 2369 2370 2371 2372 2373 2374 2375 2376 2377 2378 2379 2380 2381 2382 2383 2384 2385 2386 2387 2388 2389 2390 2391 2392 2393 2394 2395 2396 2397 2398 2399 2400 2401 2402 2403 2404 2405 2406 2407 2408 2409 2410 2411 2412 2413 2414 2415 2416 2417 2418 2419 2420 2421 2422 2423 2424 2425 2426 2427 2428 2429 2430 2431 2432 2433 2434 2435 2436 2437 2438 2439 2440 2441 2442 2443 2444 2445 2446 2447 2448 2449 2450 2451 2452 2453 2454 2455 2456 2457 2458 2459 2460 2461 2462 2463 2464 2465 2466 2467 2468 2469 2470 2471 2472 2473 2474 2475 2476 2477 2478 2479 2480 2481 2482 2483 2484 2485 2486 2487 2488 2489 2490 2491 2492 2493 2494 2495 2496 2497 2498 2499 2500 2501 2502 2503 2504 2505 2506 2507 2508 2509 2510 2511 2512 2513 2514 2515 2516 2517 2518 2519 2520 2521 2522 2523 2524 2525 2526 2527 2528 2529 2530 2531 2532 2533 2534 2535 2536 2537 2538 2539 2540 2541 2542 2543 2544 2545 2546 2547 2548 2549 2550 2551 2552 2553 2554 2555 2556 2557 2558 2559 2560 2561 2562 2563 2564 2565 2566 2567 2568 2569 2570 2571 2572 2573 2574 2575 2576 2577 2578 2579 2580 2581 2582 2583 2584 2585 2586 2587 2588 2589 2590 2591 2592 2593 2594 2595 2596 2597 2598 2599 2600 2601 2602 2603 2604 2605 2606 2607 2608 2609 2610 2611 2612 2613 2614 2615 2616 2617 2618 2619 2620 2621 2622 2623 2624 2625 2626 2627 2628 2629 2630 2631 2632 2633 2634 2635 2636 2637 2638 2639 2640 2641 2642 2643 2644 2645 2646 2647 2648 2649 2650 2651 2652 2653 2654 2655 2656 2657 2658 2659 2660 2661 2662 2663 2664 2665 2666 2667 2668 2669 2670 2671 2672 2673 2674 2675 2676 2677 2678 2679 2680 2681 2682 2683 2684 2685 2686 2687 2688 2689 2690 269			

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Persons interested	Plot No.	Extent a. r. p.	Notes to read and manuscript by name of allotment	Description	Extent a. r. p.	Amount
Heard Edward	131	1 12	Eastern and Eastern sides and against the public roads	Rights of Common appurtenant to Old Inclosures numbered on the Title Appointments 1066 1067 1068 1076 1077 1078 1079	15 1 16	Freehold
Higgs Eabb	34	1 6	Northwestern side	Rights of Common appurtenant to Old Inclosures numbered on the Title Appointments 529 544 545 546 547	2 2 27	.
Higgs Joshua	36	1 7	Northwestern side	Rights of Common appurtenant to Old Inclosures numbered on the Title Appointments 548 549 550 551 552	1 2 30	.
Harris William	133	1 1	Southwestern and Southwestern side	Rights of Common appurtenant to Old Inclosures numbered on the Title Appointments 567 571 572 573 574 575 576 577	15 2 20	.
	152	4 26	Eastern and Eastern sides	For one Common in the Moor and Gravel Pit	.	.
Jenkins William	98	1 8	Southwestern and Southwestern side	Rights of Common appurtenant to Old Inclosures numbered on the Title Appointments 1060 1069 1096 1097 1098 1099 1100 1101 1102 1103 1104	8 1 29	.
	150	1 17	Eastern and Eastern sides	For one Common in the Moor and Gravel Pit	.	.
		2 26				
	122	2 10	Eastern side	For one Common in the Moor and Gravel Pit	.	.
	151	1 32	Eastern and Eastern sides	For one Common in the Moor and Gravel Pit	.	.
Jenkins William purchased of William Higgartson	150	1 22	Eastern and Eastern sides	For one Common in the Moor and Gravel Pit	.	.
Lindley Joseph	148	2 15	Eastern and Eastern sides	For one Common in the Moor and Gravel Pit	.	.

Persons interested	Extent of claim	Extent of claim	Extent of claim	Extent of claim	Extent of claim	Extent of claim
Persons interested	Extent of claim	Extent of claim	Extent of claim	Extent of claim	Extent of claim	Extent of claim
Thomas Joseph as purchaser from Hawcock William	100	1 32	Eastern and Western sides	Rights of Common appurtenant to Old Inclosures numbered on the Fish Apperment 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000	25	Richard
Flawkins William and Canning	102	2 5	Western and Eastern sides	For one Common in the Moor and Grand Pit		
Hanbury Rev. John	110	1 7	Northwestern and Southwestern sides	Rights of Common appurtenant to Old Inclosures numbered on the Fish Apperment 675, 1276	1 31	
	111	5 27	Western side	For ten Commons and one Horse Common in the Moor and Grand Pit		
	112	1 2 27	Southern and Western sides			
		1 3 14				
Hanbury Rev. John and Rev. of Malmesbury	116	2 24	North Western and South Western sides	Rights of Common appurtenant to Old Inclosures numbered on the Fish Apperment 675, 1211, 1274, 1276	7 2	
Hampsey Elizabeth	119	1 30	Northwestern and Southwestern sides and against the Private Lavage Road	Rights of Common appurtenant to Old Inclosures numbered on the Fish Apperment 381, 382, 384, 385, 386, 387, 388	20 3 24	
Hunt's Charity	122	2 17	Eastern side against all others	Rights of Common appurtenant to Old Inclosures numbered on the Fish Apperment 120, 121, 122, 123, 124, 125, 126, 127	65 3 13	
Hunt James	124	1 3	Southwestern and South Eastern sides	Rights of Common appurtenant to Old Inclosures numbered on the Fish Apperment 475	1 14	
Holder James	131	2 24	Southwestern and South Eastern sides	Rights of Common appurtenant to Old Inclosures numbered on the Fish Apperment 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000	31 27	

Persons interested	Allotment			Tenure held under and maintained by name of allotment	Lands in respect of which claims allowed and allotment made	Description	Extent a & p		Tenure
	No.	Acres	Sq. ft.						
Hendrick Charlotte Maria	170	13	1	30	On all sides except the south Western side against the old enclosure	Rights of Common appurtenant to Old Inclosures numbered on the Title Appointment			
	171		8	9	Ardenston and South Eastern sides	674, 1135, 1263, 1264, 1266, 1267, 1268, 1270, 1273, 1275, 1279, 1280, 1281, 1282, 1284, 1284 ¹			
	172		8	69	Western and Eastern sides	1285, 1285 ¹ , 1286, 1287, 1288, 1290, 1290 ¹ , 1293, 1183, 1184, 1186, 1187, 1188, 1189, 1190, 1191, 1192	256	2	9
	173			17	33				
	174		1	30	Western and Southern sides	Part of Commons in the Area and Gravel Pit			
	175			1	3	Western and Southern sides			
	176		40	3	1	Common Field Land Ardenston side against the old enclosure numbered 1549, 1400			
	177			40	3		40	3	40
	178			40	3				
	179			40	3				
And signature of Paul Chapman awarded	180			40	3				
George Christina	181		2	11	Western side	In one Common in the Area and Gravel Pit			
Great Western Railway Company	182			10	Ardenston side	Rights of Common appurtenant to Old Inclosures numbered on the Title Appointment			
	183					387, 388, 389, 390, 392, 393, 1283, 1287, 1288, 1290, 1299	10	1	27
	184		6	3	36	Land in the Area	6	3	36
Graham Robert Fuller	185		3	3	10	South Western South Eastern and Ardenston sides	Rights of Common appurtenant to Old Inclosures numbered on the Title Appointment		
	186					289, 290, 365, 366, 367, 367 ¹ , 368	24	1	23
Harcourt The Rev ^d Vernon and The Honorable Caroline Mary	187		6	1	9	Ardenston side	Common Field Land		
	188					1594, 1597, 1597 ¹ , 1260, 1594, 1597, 1597 ¹	9	2	6
	189		1			Ardenston side	Part of Commons in the Area		

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Persons interested	at or about	Extent of	Allegments	Sum to be made and maintained by owner of attachment	Sum in respect of which claims allowed and attachments made	Description	Extent a. s. p.	Sum
Croft John James (son of)						192 193 194 195 196 197 198 199 200 201 202 203 204 205 206 207 208 209 210 211 212 213 214 215 216 217 218 219 220 221 222 223 224 225 226 227 228 229 230 231 232 233 234 235 236 237 238 239 240 241 242 243 244 245 246 247 248 249 250 251 252 253 254 255 256 257 258 259 260 261 262 263 264 265 266 267 268 269 270 271 272 273 274 275 276 277 278 279 280 281 282 283 284 285 286 287 288 289 290 291 292 293 294 295 296 297 298 299 300 301 302 303 304 305 306 307 308 309 310 311 312 313 314 315 316 317 318 319 320 321 322 323 324 325 326 327 328 329 330 331 332 333 334 335 336 337 338 339 340 341 342 343 344 345 346 347 348 349 350 351 352 353 354 355 356 357 358 359 360 361 362 363 364 365 366 367 368 369 370 371 372 373 374 375 376 377 378 379 380 381 382 383 384 385 386 387 388 389 390 391 392 393 394 395 396 397 398 399 400 401 402 403 404 405 406 407 408 409 410 411 412 413 414 415 416 417 418 419 420 421 422 423 424 425 426 427 428 429 430 431 432 433 434 435 436 437 438 439 440 441 442 443 444 445 446 447 448 449 450 451 452 453 454 455 456 457 458 459 460 461 462 463 464 465 466 467 468 469 470 471 472 473 474 475 476 477 478 479 480 481 482 483 484 485 486 487 488 489 490 491 492 493 494 495 496 497 498 499 500 501 502 503 504 505 506 507 508 509 510 511 512 513 514 515 516 517 518 519 520 521 522 523 524 525 526 527 528 529 530 531 532 533 534 535 536 537 538 539 540 541 542 543 544 545 546 547 548 549 550 551 552 553 554 555 556 557 558 559 560 561 562 563 564 565 566 567 568 569 570 571 572 573 574 575 576 577 578 579 580 581 582 583 584 585 586 587 588 589 590 591 592 593 594 595 596 597 598 599 600 601 602 603 604 605 606 607 608 609 610 611 612 613 614 615 616 617 618 619 620 621 622 623 624 625 626 627 628 629 630 631 632 633 634 635 636 637 638 639 640 641 642 643 644 645 646 647 648 649 650 651 652 653 654 655 656 657 658 659 660 661 662 663 664 665 666 667 668 669 670 671 672 673 674 675 676 677 678 679 680 681 682 683 684 685 686 687 688 689 690 691 692 693 694 695 696 697 698 699 700 701 702 703 704 705 706 707 708 709 710 711 712 713 714 715 716 717 718 719 720 721 722 723 724 725 726 727 728 729 730 731 732 733 734 735 736 737 738 739 740 741 742 743 744 745 746 747 748 749 750 751 752 753 754 755 756 757 758 759 760 761 762 763 764 765 766 767 768 769 770 771 772 773 774 775 776 777 778 779 780 781 782 783 784 785 786 787 788 789 790 791 792 793 794 795 796 797 798 799 800 801 802 803 804 805 806 807 808 809 810 811 812 813 814 815 816 817 818 819 820 821 822 823 824 825 826 827 828 829 830 831 832 833 834 835 836 837 838 839 840 841 842 843 844 845 846 847 848 849 850 851 852 853 854 855 856 857 858 859 860 861 862 863 864 865 866 867 868 869 870 871 872 873 874 875 876 877 878 879 880 881 882 883 884 885 886 887 888 889 890 891 892 893 894 895 896 897 898 899 900 901 902 903 904 905 906 907 908 909 910 911 912 913 914 915 916 917 918 919 920 921 922 923 924 925 926 927 928 929 930 931 932 933 934 935 936 937 938 939 940 941 942 943 944 945 946 947 948 949 950 951 952 953 954 955 956 957 958 959 960 961 962 963 964 965 966 967 968 969 970 971 972 973 974 975 976 977 978 979 980 981 982 983 984 985 986 987 988 989 990 991 992 993 994 995 996 997 998 999 1000		
Drinkwater James	25	12	Northampton and Southampton sides	Rights of Common appurtenant to old enclosure numbered on the Fish Appurtenance 506 507	4 1 36			Frehold
Davis Oliver	27	1	Northampton and Southampton sides	Rights of Common appurtenant to old enclosure numbered on the Fish Appurtenance 508	12			
Erskine Daniel	27	2	Northampton and Southampton sides	Rights of Common appurtenant to old enclosure numbered on the Fish Appurtenance 509	1 12			
Foster William Foster Thomas Foster Richard the younger	27	2 2 2	Northampton and Southampton sides	Rights of Common appurtenant to old enclosure numbered on the Fish Appurtenance 510 511 512 513 514 515 516 517 518 519 520 521 522 523 524 525 526 527 528 529 530 531 532 533 534 535 536 537 538 539 540 541 542 543 544 545 546 547 548 549 550 551 552 553 554 555 556 557 558 559 560 561 562 563 564 565 566 567 568 569 570 571 572 573 574 575 576 577 578 579 580 581 582 583 584 585 586 587 588 589 590 591 592 593 594 595 596 597 598 599 600 601 602 603 604 605 606 607 608 609 610 611 612 613 614 615 616 617 618 619 620 621 622 623 624 625 626 627 628 629 630 631 632 633 634 635 636 637 638 639 640 641 642 643 644 645 646 647 648 649 650 651 652 653 654 655 656 657 658 659 660 661 662 663 664 665 666 667 668 669 670 671 672 673 674 675 676 677 678 679 680 681 682 683 684 685 686 687 688 689 690 691 692 693 694 695 696 697 698 699 700 701 702 703 704 705 706 707 708 709 710 711 712 713 714 715 716 717 718 719 720 721 722 723 724 725 726 727 728 729 730 731 732 733 734 735 736 737 738 739 740 741 742 743 744 745 746 747 748 749 750 751 752 753 754 755 756 757 758 759 760 761 762 763 764 765 766 767 768 769 770 771 772 773 774 775 776 777 778 779 780 781 782 783 784 785 786 787 788 789 790 791 792 793 794 795 796 797 798 799 800 801 802 803 804 805 806 807 808 809 810 811 812 813 814 815 816 817 818 819 820 821 822 823 824 825 826 827 828 829 830 831 832 833 834 835 836 837 838 839 840 841 842 843 844 845 846 847 848 849 850 851 852 853 854 855 856 857 858 859 860 861 862 863 864 865 866 867 868 869 870 871 872 873 874 875 876 877 878 879 880 881 882 883 884 885 886 887 888 889 890 891 892 893 894 895 896 897 898 899 900 901 902 903 904 905 906 907 908 909 910 911 912 913 914 915 916 917 918 919 920 921 922 923 924 925 926 927 928 929 930 931 932 933 934 935 936 937 938 939 940 941 942 943 944 945 946 947 948 949 950 951 952 953 954 955 956 957 958 959 960 961 962 963 964 965 966 967 968 969 970 971 972 973 974 975 976 977 978 979 980 981 982 983 984 985 986 987 988 989 990 991 992 993 994 995 996 997 998 999 1000		129 5 87		
	125	1 2 9	Northampton and Southampton sides	Common Field Land 1219 1220 1221 1222 1223 1224 1225 1226 1227 1228 1229 1230 1231 1232 1233 1234 1235 1236 1237 1238 1239 1240 1241 1242 1243 1244 1245 1246 1247 1248 1249 1250 1251 1252 1253 1254 1255 1256 1257 1258 1259 1260 1261 1262 1263 1264 1265 1266 1267 1268 1269 1270 1271 1272 1273 1274 1275 1276 1277 1278 1279 1280 1281 1282 1283 1284 1285 1286 1287 1288 1289 1290 1291 1292 1293 1294 1295 1296 1297 1298 1299 1300 1301 1302 1303 1304 1305 1306 1307 1308 1309 1310 1311 1312 1313 1314 1315 1316 1317 1318 1319 1320 1321 1322 1323 1324 1325 1326 1327 1328 1329 1330 1331 1332 1333 1334 1335 1336 1337 1338 1339 1340 1341 1342 1343 1344 1345 1346 1347 1348 1349 1350 1351 1352 1353 1354 1355 1356 1357 1358 1359 1360 1361 1362 1363 1364 1365 1366 1367 1368 1369 1370 1371 1372 1373 1374 1375 1376 1377 1378 1379 1380 1381 1382 1383 1384 1385 1386 1387 1388 1389 1390 1391 1392 1393 1394 1395 1396 1397 1398 1399 1400 1401 1402 1403 1404 1405 1406 1407 1408 1409 1410 1411 1412 1413 1414 1415 1416 1417 1418 1419 1420 1421 1422 1423 1424 1425 1426 1427 1428 1429 1430 1431 1432 1433 1434 1435 1436 1437 1438 1439 1440 1441 1442 1443 1444 1445 1446 1447 1448 1449 1450 1451 1452 1453 1454 1455 1456 1457 1458 1459 1460 1461 1462 1463 1464 1465 1466 1467 1468 1469 1470 1471 1472 1473 1474 1475 1476 1477 1478 1479 1480 1481 1482 1483 1484 1485 1486 1487 1488 1489 1490 1491 1492 1493 1494 1495 1496 1497 1498 1499 1500		1 1 19		
Franklin Elizabeth and William	26	1	Northampton and Southampton sides	Rights of Common appurtenant to old enclosure numbered on the Fish Appurtenance 511	58			
Fishlock Thomas	26	2	Northampton and Southampton sides	Rights of Common appurtenant to old enclosure numbered on the Fish Appurtenance 1280 1281	1 20			
Franklin Thomas	22	10	Northampton sides against enclosure numbered 11 and 12 and against the police flood	Rights of Common appurtenant to old enclosure numbered on the Fish Appurtenance 512 513 514 515 516 517 518 519 520 521 522 523 524 525 526 527 528 529 530 531 532 533 534 535 536 537 538 539 540 541 542 543 544 545 546 547 548 549 550 551 552 553 554 555 556 557 558 559 560 561 562 563 564 565 566 567 568 569 570 571 572 573 574 575 576 577 578 579 580 581 582 583 584 585 586 587 588 589 590 591 592 593 594 595 596 597 598 599 600 601 602 603 604 605 606 607 608 609 610 611 612 613 614 615 616 617 618 619 620 621 622 623 624 625 626 627 628 629 630 631 632 633 634 635 636 637 638 639 640 641 642 643 644 645 646 647 648 649 650 651 652 653 654 655 656 657 658 659 660 661 662 663 664 665 666 667 668 669 670 671 672 673 674 675 676 677 678 679 680 681 682 683 684 685 686 687 688 689 690 691 692 693 694 695 696 697 698 699 700 701 702 703 704 705 706 707 708 709 710 711 712 713 714 715 716 717 718 719 720 721 722 723 724 725 726 727 728 729 730 731 732 733 734 735 736 737 738 739 740 741 742 743 744 745 746 747 748 749 750 751 752 753 754 755 756 757 758 759 760 761 762 763 764 765 766 767 768 769 770 771 772 773 774 775 776 777 778 779 780 781 782 783 784 785 786 787 788 789 790 791 792 793 794 795 796 797 798 799 800 801 802 803 804 805 806 807 808 809 810 811 812 813 814 815 816 817 818 819 820 821 822 823 824 825 826 827 828 829 830 831 832 833 834 835 836 837 838 839 840 841 842 843 844 845 846 847 848 849 850 851 852 853 854 855 856 857 858 859 860 861 862 863 864 865 866 867 868 869 870 871 872 873 874 875 876 877 878 879 880 881 882 883 884 885 886 887 888 889 890 891 892 893 894 895 896 897 898 899 900 901 902 903 904 905 906 907 908 909 910 911 912 913 914 915 916 917 918 919 920 921 922 923 924 925 926 927 928 929 930 931 932 933 934 935 936 937 938 939 940 941 942 943 944 945 946 947 948 949 950 951 952 953 954 955 956 957 958 959 960 961 962 963 964 965 966 967 968 969 970 971 972 973 974 975 976 977 978 979 980 981 982 983 984 985 986 987 988 989 990 991 992 993 994 995 996 997 998 999 1000		2 14		

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Idle set out all and award unto

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and Ways within the said Tithing.
 And I direct that the fence on the north eastern side of such Allotment shall from time to time be repaired and maintained by and at the expense of the said Surveyors of the Highways of the said Borough Tithing and their Successors.

And I declare that I have set out and do hereby set out allot and award unto the Surveyors of the Highways of the Borough Tithing of the said Parish of Thatcham and their Successors for ever All that piece or parcel of Ground numbered 12 on the said Map and containing by admeasurement one acre.

And I direct that such allotment piece or parcel of Ground shall be appropriated and used as a Public Quarry for supplying Stone and Gravel for the use of the Inhabitants and repairs of the Roads and Ways within the said Tithing.

And I direct that the fence on the north eastern side of such Allotment shall from time to time be repaired and maintained by and at the expense of the said Surveyors of the Highways of the said Borough Tithing and their Successors.

And I declare that I have set out and do hereby set out allot and award unto the Surveyors of the Highways of the Borough Tithing in the said Parish of Thatcham and their Successors for ever All that piece or parcel of Ground numbered 12 on the said Map and containing by admeasurement one acre.

And I direct that such allotment piece or parcel of Ground shall be appropriated and used as a Public Quarry for supplying Stone and Gravel for the use of the Inhabitants and repairs of the Roads and Ways within the said Tithing.

And I direct that the fence on the South Eastern side of such Allotment shall from time to time be repaired and maintained by and at the expense of the said Surveyors of the Highways of the said Borough Tithing and their Successors.

And I declare that I have set out and do hereby set out allot and award unto the Surveyors of the Highways of the Borough Tithing in the said Parish of Thatcham and their Successors for ever All that piece or parcel of Ground numbered 13 on the said Map and containing by admeasurement one acre.

And I direct that such allotment piece or parcel of Ground shall be appropriated and used as a Public Quarry for supplying Stone and Gravel for the use of the Inhabitants and repairs of the Roads and Ways within the said Tithing.

And I direct that the fence on the Southern side of such Allotment shall from time to time be repaired and maintained by and at the expense of the said Surveyors of the Highways of the said Borough Tithing and their Successors.

And I declare that I have set out and do hereby set out allot and award unto the Churchwardens and Overseers of the Poor of the said Parish of Thatcham All that piece or parcel of land numbered on the said Map containing five acres to be held by them and their Successors in trust as a place of exercise and recreation for the Inhabitants of the said Parish and Thatcham.

And I direct that the fences on the North Eastern, South Eastern and South Western sides of such Allotment shall from time to time be repaired and maintained by and at the expense of the Churchwardens and Overseers of the Poor of the said Parish for the time being.

And I have also set out and do hereby set out allot and award unto the said Churchwardens and Overseers of the Poor All that piece or parcel of land numbered 14 on the said Map containing eight acres to be held by them and their Successors in trust as an allotment for the labouring poor of the said Parish of Thatcham subject annually to and charged with a clear net charge of four pounds which said sum does not exceed the net annual value of the said allotment in its present condition. And I declare the same to be of the value of such number of Imperial Shillings and Decimals.

And I direct that the said public pond and watering place shall for ever hereafter be maintained and repaired by the Town and Parishes for the time being of the said allotment numbered 18 on the said map.

One other public pond or watering place situate on the side of the public Road in the allotment numbered 9 on the said map.

And I direct that the said public pond or watering place and the pipe leading from a spring on the Eastern side of the allotment numbered 21 on the said map into the same shall for ever hereafter be maintained and repaired by the Town and Parishes for the time being of the said allotment numbered 21 on the said map.

And I declare that I have set out and appointed and do hereby set out and appoint the following public Watercourses that is to say

One public Watercourse numbered XXI on the said map of the width of fourteen feet commencing at a point marked $\frac{1}{2}$ on the said map and extending thence in an Easternly direction through Wicks Head Lane and terminating at a point marked $\frac{1}{2}$ on the said map.

And I direct that the expense of clearing, maintaining and repairing the said Watercourse and of maintaining and repairing the said private carriage Roads numbered XVI and XVII shall be raised by Rates to be levied on the allotments next hereinafter set forth in the proportions following that is to say

No. of allotments	Proportion of Rate to be levied		
	£	s	d
121	7	18	-
122	0	17	-
123	0	3	-
124	11	3	-
125	1	1	-
126	-	6	-

One other public Watercourse numbered XXIII on the said map commencing at a point marked $\frac{1}{2}$ on the said map and extending thence in an Easternly direction along the Eastern side of Wicks Head Lane and terminating at a point marked $\frac{1}{2}$ on the said map.

And I direct that the expense of clearing, maintaining and repairing the said Watercourse shall be raised by Rates to be levied on the allotments next hereinafter set forth in the proportions following that is to say

No. of allotments	Proportion of Rate to be levied		
	£	s	d
126	-	12	6
128	7	6	-
129	35	2	6

One other Watercourse numbered XXV commencing at the point marked T and ending at the point marked S on the said map for the use of the Town for the time being of an old Bulmer numbered 134 on the said map.

And I direct that the expense of clearing, maintaining and repairing the said Watercourse shall for ever hereafter be paid by the Town and Parishes for the time being of the said old Bulmer.

And I declare that I have set out and do hereby set out and allot and award unto the Surveyors of the Highways of the Town of Tisbury in the said Parish of Tisbury and their successors for ever all that piece or parcel of ground numbered 3 on the said map and containing by admeasurement one acre.

And I direct that such allotment piece or parcel of ground shall be appropriated and used as a public quarry for supplying stone and gravel for the repairs of the Roads.

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pounds and eight shillings. All that piece or parcel of land numbered 20 on the said map containing one rood and twenty eight perches of which the fences on the northern and eastern sides are to be made and for ever hereafter maintained and repaired by the owner of such piece or parcel of land.

Willelmo William Goggs of bold. sh. sh. for the price or sum of seven pounds and nine shillings. All that piece or parcel of land numbered 21 on the said map containing one rood and twenty nine perches of which the fences on the northern and eastern sides are to be made and for ever hereafter maintained and repaired by the owner of such piece or parcel of land.

Willelmo James Brinkwater of bold. sh. sh. for the price or sum of eight pounds and six shillings. All that piece or parcel of land numbered 22 on the said map containing one rood and twenty nine perches of which the fences on the northern and eastern sides are to be made and for ever hereafter maintained and repaired by the owner of such piece or parcel of land.

Willelmo John Brinkwater of bold. sh. sh. for the price or sum of two pounds and three shillings. All that piece or parcel of land numbered 23 on the said map containing one rood and twenty nine perches of which the fences on the northern eastern and western sides are to be made and for ever hereafter maintained and repaired by the owner of such piece or parcel of land.

Willelmo Elizabeth Hamilton and William Hamilton of Stotham sh. sh. for the price or sum of two pounds and seven shillings. All that piece or parcel of land numbered 24 on the said map containing one rood and twenty nine perches of which the fences on the northern side are to be made and for ever hereafter maintained and repaired by the owner of such piece or parcel of land.

Willelmo Thomas Henry Thomas Marsley of Buntingford sh. sh. for the price or sum of twenty eight pounds and one shilling. All that piece or parcel of land numbered 25 and 26 on the said map containing three acres three roods and thirty six perches of which the fences on the north western and south eastern sides of number 25 and north western and south eastern sides of number 26 are to be made and for ever hereafter maintained and repaired by the owner of such piece or parcel of land.

Willelmo John Higgs of Elham sh. sh. for the price or sum of seven pounds and eleven shillings. All that piece or parcel of land numbered 27 on the said map containing one acre one rood and nine perches of which the fences on the northern and eastern sides are to be made and for ever hereafter maintained and repaired by the owner of such piece or parcel of land.

Willelmo John Higgs of Elham sh. sh. for the price or sum of six pounds and three shillings. All that piece or parcel of land numbered 28 and 29 on the said map containing one acre three roods and one perch of which the fences on the north western north eastern and south western sides are to be made and for ever hereafter maintained and repaired by the owner of such piece or parcel of land.

Willelmo James Foster of bold. sh. sh. for the price or sum of three pounds and eleven shillings. All that piece or parcel of land numbered 30 on the said map containing one rood and thirty three perches of which the fences on the north western and north eastern sides are to be made and for ever hereafter maintained and repaired by the owner of such piece or parcel of land.

Willelmo James Foster of Buntingford sh. sh. for the price or sum of three pounds and seven shillings. All that piece or parcel of land numbered 31 on the said map containing one rood and thirty three perches of which the fences on the south western and south eastern sides are to be made and for ever hereafter maintained and repaired by the owner of such piece or parcel of land.

Willelmo Edward Foster of Stotham sh. sh. for the price or sum of four pounds and seven shillings. All that piece or parcel of land numbered 32 on the said map containing twenty eight perches of which the fences on the northern side are to be made and for ever hereafter maintained and repaired by the owner of such piece or parcel of land.

Willelmo William Johnson of Stotham sh. sh. for the price or sum of eight pounds and two shillings. All that piece or parcel of land numbered 33 on the said map containing one rood and twenty nine perches of which the fences on the north western and north eastern sides are to be made and for ever hereafter maintained and repaired by the owner of such piece or parcel of land.

parts of an Imperial Bundle of Wood, and take an average of weight. That is to say,

Price per Bushel		Bushels and Decimals thereof
Wheat	1 1/2	3,790.22
Barley	3 1/2	6,756.04
Oats	2 1/2	9,696.45

and I direct that the persons in the North Eastern, South Eastern and South Western Villages of such Abbeys shall from time to time be visited and maintained by means of the expense of the Churchwardens and Burgesses of all parts of the said parish for the better relief.

There were also wheat and clover set out all about and
planted into the bank blueberries. The wheat grew or sprouted and numbered 75 on the
large stage containing six rows 4 to 6 ft by 10 ft and their seedlings in baskets with grass wheat
or Chapel and flaxseed. House and short blueberries and grass wheat. And I think that
they grow on the whole western and north eastern side of our settlement. Grass from here to home
to the hills and beyond by and at the opening of the great blueberry woods.

And I have also set out and do hereby set out allot
and award unto the survivors of the Highways of Norwich Island in the said Parish of
Providence and State they were before. All that portion of land numbered 73 on the said map
containing six acres.

And I direct that such settlement paid to force of land shall be appropriated and used as a public forest for the three townships of Mendon, Darnough and a portion of West.

And I direct that the fences on the North, West and South
Western sides of said allotment shall from time to time be maintained and repaired by and at
the expense of the proprietors of the Big Horn and said the allotment in the following proportions, to-wit:
One fourth paid by General Sittling - One fourth by George Washington and One fourth
by Aubrey coming

And I the said Thomas Edward Washburne do
 hereby declare I have in pursuance of instructions duly given in that behalf and with the
 approval of the said Indiana Commissioned with parts of the said Common and Wash
 Lands as are next hereinafter particularly mentioned for the purpose of raising money to defray the
 expenses incurred to the said Indiana for the several years and the same has been arranged
 in fee by the said Indiana Commissioners to the several persons hereinafter mentioned that is
 to say

Article - I have therein Drilled & sold to him at or for the price or sum
of Twenty Six pounds and five shillings the said gun or piece of ordnance numbered 31 on the
said Map containing Two tiers and sixteen pieces of Dutch the former on the North Eastern
and double Endless sides next to be made and for ever hereafter maintained and repaired by the
Owner of such gun or piece of ordnance.

2) on the said a map embracing fifty then acre one rood and thirty four perches of which the four against the Lake Road unit in the South Westmost quarter and North Western side of the allotment numbered 1 and in the South Western and North Eastern sides of the allotment numbered 2 are to be sold and for ever hereafter maintained and enjoyed by the owner of such pieces of parcels of land.

With George Brown of Cold Ash at it for the price or value of Five pounds Sterlin Shilling. All that price or value of land numbered 5D as the said Map is a containing One rood and three perches of which the price in the Western and Southern sides, are to be made and for less bridge maintained and repaired by the Owner of such piece or parcel of land.

Wrote Henry Bowdler, of a standing at 10 for the price is given of

Now such said Road is set out for the use of the Owners and Occupiers for the time being of the Allotments A and with which the said Road leads to communicate

One other private Carriage and Occupation Road numbered XVIII on the said Map of the width of Twelve feet commencing at a point marked V on the said Map and extending thence in an easterly direction to and terminating at a point marked VI on the said Map which said Road is set out for the use of the Owners and Occupiers for the time being of the Old Inclosure numbered 390 A and with which the said Road leads to communicate

And I direct and appoint that the said last mentioned private carriage and Occupation Road shall for ever hereafter be maintained and repaired by the Owners and Proprietors of the said Old Inclosure

One other private Carriage and Occupation Road numbered XIX on the said Map of the width of Twelve feet commencing at a point marked VII on the said Map and extending thence in a southerly direction to and terminating at a point marked VIII on the said Map which said Road is set out for the use of the Owners and Occupiers for the time being of the allotments 117 and 118 and the Old Inclosure numbered 463, 464, 465 and 466 and with which the said Road leads to communicate

And I direct and appoint that the said private Carriage and Occupation Road shall for ever hereafter be maintained and repaired by the Owners and Proprietors of the said Old Inclosures for the allotments of the said Road to the Southwestern corner of the said allotment numbered 117 and from thence to the end by the Owners and Proprietors of the allotments numbered 117 and 118 in equal shares and proportions

One other private Carriage and Occupation Road numbered XX on the said Map of the width of Twelve feet commencing at a point marked I on the said Map and extending thence in a southerly direction to and terminating at a point marked II on the said Map which said Road is set out for the use of the Owners and Occupiers for the time being of the Old Inclosure numbered 450 A and with which the said Road leads to communicate

And I direct and appoint that the said private Carriage and Occupation Road shall for ever hereafter be maintained and repaired by the Owners and Proprietors of the said Old Inclosure

One other private Carriage and Occupation Road numbered XXI on the said Map of the width of Twelve feet commencing at a point marked III on the said Map and extending thence in a southerly direction to and terminating at a point marked IV on the said Map which said Road is set out for the use of the Owners and Occupiers for the time being of the Old Inclosure numbered 450 B and with which the said Road leads to communicate

And I direct and appoint that the said private Carriage and Occupation Road shall for ever hereafter be maintained and repaired by the Owners and Proprietors of the said Old Inclosure

And I declare that I have set out and appointed and do hereby set out and appoint the following public footways that is to say

One public footway of the width of five feet commencing at a point marked E on the said Map and extending thence in a southerly and easterly direction on the Southern side of the allotments numbered 114 and 115 on the said Map and along the private Carriage Road numbered II on the said Map to and terminating at a point marked P on the said Map

One other public footway of the width of five feet commencing at a point marked Q on the said Map and extending thence in an easterly direction through the allotment numbered 100 A and terminating at a point marked R on the said Map

And one other public footway of the width of five feet commencing at a point marked B on the said Map and extending thence along the private Carriage Road numbered VIII on the said Map and along the allotment numbered 80 on the said Map to and terminating at a point marked S on the said Map

And I declare that I have set out and appointed and do hereby set out and appoint the following public fountains or watering places that is to say

One public fountain or watering place which in the allotment numbered 14 on the said Map