



In the Matter of Land,
Winnersh, Berkshire

DECISION

This reference relates to the question of the ownership of land in Winnersh being the land comprised in the Land Section of Register Unit No. CL 22 in the Register of Common Land maintained by the former Berkshire County Council of which no person is registered under section 4 of the Commons Registration Act 1965 as the owner.

Following upon the public notice of this reference no person claimed to be the freehold owner of the land in question and no one claimed to have information as to its ownership.

Mr Commissioner Baden Fuller held a hearing for the purpose of inquiring into the question of the ownership of the land at Reading on 20 March 1973. No person attended that hearing and Mr Commissioner Baden Fuller, not being satisfied that any person was the owner of the land, gave his decision accordingly on 27 March 1973. In consequence of an application made by Hatch Farm Dairies Ltd, Mr Commissioner Baden Fuller set aside his decision under reg. 21 of the Commons Commissioners Regulations 1971.

I re-opened the hearing at Windsor on 12 December 1978.

At the hearing Mr P J Lock, solicitor, appeared on behalf of Hatch Farm Dairies Ltd and Mr J Housden, solicitor, appeared on behalf of the Winnersh Parish Council.

The land the subject of the reference was conveyed by an indenture made 15 September 1926 between (1) Mary Jane Bitton-Foster (2) William Charles James Hissey and by a conveyance made 21 November 1946 between (1) W C J Hissey (2) Hatch Farm Dairies Ltd. The land has since formed part of the farm occupied by the Company.

On this evidence I am satisfied that Hatch Farm Dairies Ltd is the owner of the land, and I shall accordingly direct the Berkshire County Council, as registration authority, to register Hatch Farm Dairies Ltd as the owner of the land under section 8(2) of the Act of 1965.

I am required by regulation 30(1) of the Commons Commissioners Regulations 1971 to explain that a person aggrieved by this decision 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

1st

day of

February

1979

C. J. L. Quirk