



COMMONS REGISTRATION ACT 1965

Reference No.214/U/12

In the Matter of Butts Green,
Lockerley, Hampshire.

DECISION

This reference relates to the question of the ownership of land known as Butts Green, Lockerley, being the land comprised in the Land Section of Register Unit No.VG 74 in the Register of Town or Village Greens maintained by the former Hampshire 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 Mr and Mrs J.C.Cockwell claimed to be the freehold owners of part of the land in question and no other person claimed to have information as to its ownership.

I held a hearing for the purpose of inquiring into the question of the ownership of the land at Winchester on 22nd January 1975.

At the hearing Mr and Mrs R.J.Cockwell were represented by Mr G.A.Moss, solicitor, and the Lockerley Parish Council was represented by Mr E.George, its Clerk. The initials of Mr and Mrs Cockwell in the claim were erroneous.

The land the subject of the reference forms the major part of a triangular area of land bounded on all three sides by roads. The small part of the triangular area which is not included in the Register Unit is the site of Butts Green Cottage and its front garden. However, the back garden of Butts Green Cottage has been included in the Register Unit.

Butts Green Cottage, together with the front and back gardens, was conveyed to Mr and Mrs Cockwell by a conveyance made 10th August 1972 between (1) Christopher David Easton and Carole Anne Easton (2) Reginald John Cockwell and Mary Yeoman Cockwell as joint tenants. By a notice dated 6th December Mr and Mrs Cockwell severed the joint tenancy with the intent that they should thereafter hold the property as tenants in common in equal shares.

Mr and Mrs Easton's root of title was a conveyance made 7th April 1934 between (1) John Allen Frederick Dalgety (2) Leonard Frank Coombs. This conveyance related not only to the property conveyed to Mr and Mrs Cockwell, but also to the rest of the land comprised in the Register Unit.

The part of the land in question not owned by Mr and Mrs Cockwell passed to Mr E.J.Blackledge, who on 29th June 1970 leased it to the Parish Council for 25 years.

On this evidence I am satisfied that Mr and Mrs Cockwell and Mr Blackledge are the owners of their respective parts of the land, and I shall accordingly direct the Hampshire County Council, as registration authority, to register them respectively as the owners of those parts of the land under section 3(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 **30th** day of **January** 1975

Chief Commons Commissioner