



In the Matter of Compton Down and Shawford
Down, Compton

DECISION

This reference relates to the question of the ownership of the parts of the land comprised in the Land Section of Register Unit No. CL.307 in the Register of Common Land maintained by the Hampshire County Council of which no person is registered as owner under section 4 of the Commons Registration Act 1965 or under the Land Registration Acts.

Following upon the public notice of this reference Mr A H Bower claimed to be the freehold owner of the land in question.

I held a hearing for the purpose of inquiring into the question of the ownership of the land in question at Winchester on 29 January 1986.

At the hearing Mr A A Grubb, Solicitor, appeared on behalf of Mr Bower, and Compton and Shawford Parish Council was represented by Mr C Brook.

There are, I understand, three sections of the Unit Land (CL.307) which have no registered owner: two are parts of Compton Down and the third, which is some distance away to the south, is adjacent to Shawford Down. It is the third ("the Shawford section") which is claimed by Mr Bower: no claimant to the other sections appeared.

By a Conveyance dated 29 September 1959 A J Bowker sold and conveyed to V H J Stokes property at Shawford known as the Malms & Malms Farm: this property included the Shawford Section.

By a Conveyance dated 25 June 1963 a substantial part of this property, also including the Shawford section, was sold and conveyed to A H Bower.

Mr Brook told me that the Parish Council had some doubts about the validity of this claim; and Mr Grubb produced earlier documents of title going back to a Conveyance of 1936 by the Ecclesiastical Commissioners. The Parish Council is now prepared to accept Mr Bower's claim, and I think it unnecessary to refer further to these earlier documents.

On the evidence I am satisfied that Alfred Hezekiah Bower is the owner of the ~~land~~ land, Shawford section and I shall accordingly direct the Hampshire County Council, as registration authority, to register him as such owner under section 8 (2) of the Act of 1965. The remaining parts of the land in question will remain subject to protection under section 9 of the Act of 1965.



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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

21 April

1986

L. J. Morris Smith

Commons Commissioner