



In the Matter of Hillside Common (part) and
Rye Common (part), Odiham, Dogmersfield, and
Crandall, Hampshire

DECISION

This reference relates to the question of the ownership of land known as Hillside Common (part) and Rye Common (part), Odiham, Dogmersfield, and Crandall, being the land comprised in the Land Section of Register Unit NO. CL.194 in the Register of Common Land maintained by the 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 the Hampshire County Council and Mr R H Webster claimed to be the freehold owners of parts 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 22 March 1984. At the hearing, the County Council was represented by Mr E Mason, the Assistant Secretary, and Mrs B Barnard appeared in person. There was no appearance by or on behalf of Mr Webster.

Most of the land the subject of the reference was conveyed to the former Hampshire County Council by a Conveyance made 3 December 1934 between (1) Francis John Ward and Percy Thomas Gill (2) Bartletts (Launceston) Ltd (3) The County Council of the County of Southampton.

A small area at the western end of the land was conveyed to Mrs Barnard and her husband by a Conveyance made 15 November 1983 between (1) Wyndham Philip Curtis (2) Nigel Parry Barnard and Barbara Barnard, the vendor's root of title being a Conveyance made 19 January 1948 between (1) Claude Ronald Anson (2) Lancelot Grant Oglender Prideaux-Brune and Walter Raleigh Gilbert (3) Michael Wallington.

On this evidence I am satisfied that the Hampshire County Council and Mr and Mrs Barnard are the owners of part of the land, and I shall accordingly direct the Hampshire County Council as registration authority to register them as the owners of their respective parts of the land under section 8 (2) of the Act of 1965.

In the absence of any further evidence I am not satisfied that any person is the owner of the remainder of the land, which will therefore remain subject to protection under section 9 of the Act of 1965.



I am required by regulations 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

25th

day of

January

1985

Chief Commons Commissioner