



COMMONS REGISTRATION ACT 1965

Reference No.14/U/37

In the Matter of Holt Pound Recreation Ground,
Binsted, Hampshire.

DECISION

This reference relates to the question of the ownership of land known as Holt Pound Recreation Ground, Binsted, being the land comprised in the Land Section of Register Unit No.V.G.16 in the Register of Town or Village Greens 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 Binsted Parish Council claimed to be the freehold owner 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 10th January 1974.

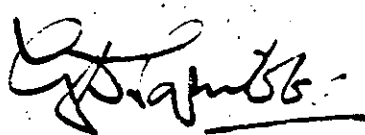
Mr. J.R. Ambrose, solicitor, appeared for the Parish Council.

The land in question was allotted by the Binsted Inclosure Award dated 28th January 1857, made under the Second Annual Inclosure Act 1849, to the churchwardens and overseers of the poor of the parish of Binsted in trust as a place of exercise and recreation for the inhabitants of the parish and neighbourhood. By sections 6(1)(c)(iii) and 67 of the Local Government Act 1894 the land was vested in the Parish Council.

On this evidence I am satisfied that the Parish Council is the owner of the land, and I shall accordingly direct the Hampshire County Council, as registration authority, to register the Binsted Parish Council 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 25th day of January 1974


Chief Commons Commissioner.