



COMMONS REGISTRATION ACT 1965

Reference No. 14/U/147

In the Matter of Part of Selborne Common,
East Hampshire D

DECISION

This reference relates to the question of the ownership of land known as Part of Selborne Common, East Hampshire D being the part of the land comprised in the Land Section of Register Unit No. CL. 227 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 National Trust, Mrs Lang Anderson and the late F G Rye's Trustees 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 4th March 1976.

Mr J A E Gorst appeared for the National Trust and produced a Deed of Gift dated 17 June 1959 whereby W C Berryman and I Berryman conveyed part of the land in question to the National Trust the land being identified by a plan on the said Deed.

Mr J Lunt of Messrs Mackarness & Lunt appeared for Mrs Lang Anderson and the Rye Trustees. He produced a conveyance dated 31 December 1937 whereby Bibby sold part of the land in question to F G Rye, with plan attached. The Rye Trustees still own that part of the land thereby conveyed which is not now in the ownership of Mrs Lang Anderson.

Mr Lunt produced a conveyance dated 5 July 1971 from Mrs Willis to Mrs Lang Anderson of the land identified on the plan annexed to a Deed of Gift dated 25 July 1960 made between Mr & Mrs Willis. On this evidence I am satisfied that the National Trust is the owner of the land comprised in the above mentioned Deed of Gift dated 17 June 1959, that Mrs Lang Anderson is the owner of the land identified on the plan annexed to the above mentioned Deed of Gift dated 25 July 1960 and that the Rye Trustees are the owners of the land comprised in the above mentioned conveyance dated 31 December 1937 other than the land owned by Mrs Lang Anderson as aforesaid. As regards the remainder of the land in question, if any, I am not satisfied that any person is the owner thereof.

For the assistance of the Registration Authority there are annexed to this decision copies of a letter dated 10 March 1976 and copies of the plans therein referred to.

I shall accordingly direct the Hampshire County Council, as registration authority, to register



- (1) The National Trust as the owner of that part of the land in question conveyed by the above-mentioned Deed of Gift dated 17 June 1959
- (2) Mrs Lang Anderson as the owner of that part of the land in question which is comprised in the above-mentioned Deed of Gift dated 25 July 1960 identified on Plan B referred to in the above-mentioned letter dated 10 March 1976
- (3) Ralph Walter Rye and Anthony Beloe Rye as the owners of that part of the land in question comprised in the above-mentioned conveyance dated 31 December 1937 not in the ownership of Mrs Lang Anderson identified by reference to Plans A, B and C referred to in the above-mentioned letter dated 10 March 1976.

That part of the land in question, if any, not in the ownership of the National Trust, Mrs Lang Anderson or the Rye Trustees will be subject to protection under Section 9 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 26 day of March 1976

C. A. Little

Commons Commissioner