



COMMONS REGISTRATION ACT 1965

Reference No 214/U/18

In the Matter of Part of Waggoners
Wells adjoining Bramshott Common,
Bramshott, East Hampshire D

DECISION

This reference relates to the question of the ownership of land known as part of Waggoner Wells adjoining Bramshott Common, Bramshott being the land comprised in the Land Section of Register Unit No CL. 225 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 each of them Hampshire and The National Trust claimed to be the freehold owner 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 3 May 1978.

Mr Martin appeared for the Hampshire County Council and produced a conveyance dated 8 March 1974 made between M J Prag and J Duckworth (the Vendors) and Hampshire County Council whereby the land identified on the plan annexed thereto was conveyed to the County Council, which said land comprises part of the small isolated plot of land part of and to the west of the major part of the land in question. On this evidence I am satisfied that the Hampshire County Council is the owner of that part of the small isolated plot east of the line AB on Plan A annexed to this decision. In the absence of any evidence as to the ownership of the remainder of the said small isolated plot it will remain subject to protection under Section 9 of the Act of 1965.

Mr J A L Carter appeared for the National Trust and for the Bramshott Commoners and he produced:

- (1) A conveyance dated 7 May 1915 whereby A Lynden conveyed to the National Trust part of the major portion of the land in question
 - (2) A conveyance dated 9 December 1918 whereby H M Colebrook conveyed another part of the major portion of the land in question to the National Trust
- and
- (3) A conveyance dated 21 September 1929 whereby T J Larbey conveyed part of the major portion of the land in question to the National Trust.

The said three respective parts are respectively coloured green, pink and purple and plan B annexed hereto and I am satisfied that the National Trust is the owner of the said lands coloured green, pink and purple.

Mr Carter had no evidence of title to the lands coloured yellow and green on Plan C annexed hereto and these lands 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 2nd day of June 1978

G. A. Little

Witness my hand Regulation 33 G. A. Little

Commons Commissioner