



COMMONS REGISTRATION ACT 1965

Reference No. 14/U/77

In the Matter of part of Yateley Common,
Yateley, Hart D., Hampshire

DECISION

This reference relates to the question of the ownership of land which has an area of approximately 10.9 acres which lies between Cricket Hill Road and Hill Farm and at the end of Cobbetts Lane, the north part of which is now a cemetery, which is part of Yateley Common, Yateley, Hart District, which is the land comprised in the Land Section of Register Unit No. CL.28 in the Register of Common Land maintained by the Hampshire County Council and 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 Yateley Parish Council claimed ownership of the land in question and no other person claimed to be the freehold owner or 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 15 October 1974. At the hearing Yateley Parish Council were represented by Mr B.D. Adams their clerk.

Mr Adams, who has resided in the Parish for 6 $\frac{1}{2}$ years, has been the clerk of the Council since December 1973, and before that for 3 years one of their members, in the course of his evidence produced a conveyance dated 6 July 1951 by which the Church Commissioners of England conveyed to the Parish Council all their estate and interest as Lords of the Manor of Crondall in waste lands known as Yateley Common comprising about 513 acres and Yateley Green and Frogmore Green comprising about 67 acres and more particularly delineated on the plan annexed and thereon coloured green. Mr Adams said (in effect):-
 "A large part of the land coloured green on the said plan has been conveyed by the Parish Council to the County Council; however the Parish Council retained the ownership of the land which is comprised in this Register Unit and which is coloured green on the plan, because this land either is or is likely to be required as an extension of, Heathlands Cemetery. Apart from the part which is now a cemetery, the land is open to the adjoining part (owned by the County Council) of Yateley Common."

On the evidence summarised above, 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 Yateley 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 26th — day of March 1975

a. a. Baden Fuller

Commons Commissioner