



In the Matter of Rye Common, Odiham, Hart D

DECISION

This reference relates to the question of the ownership of land described above being the land comprised in the Land Section of Register Unit No. CL.188 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 no person claimed to be the freehold owner of the land in question ("the unit land") 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 unit land at Winchester on 29 January 1985. At the hearing Hampshire County Council was represented by Mr E Mason, Assistant County Secretary, and claimed ownership. No other claimant appeared.

By a Conveyance dated 3 December 1934 after reciting the acquisition by the Vendors from Sir Anthony Millmay of certain Manors in the parish of Odiham, the Vendors (Francis J Ward and Percy F Gill) conveyed to Southampton County Council the estate right title and interest of the Vendors in (inter alia) Rye Common and other waste land of such Manors delineated on the plan attached. The unit land is part of the area so delineated.

Hampshire County Council is the successor Authority to Southampton County Council, and on the evidence I am satisfied that Hampshire County Council is the owner of the unit land, I shall accordingly direct the Hampshire County Council as registration authority, to register itself as the owner of the unit 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

20th

day of

March

1985

L. J. Morris Smith

Commons Commissioner