



COMMONS REGISTRATION ACT 1965

Reference No. 14/U/163

In the Matter of Shalden Green
Shalden, East Hampshire D

DECISION

This reference relates to the question of the ownership of land known as Shalden Green; Shalden, East Hampshire D being the land comprised in the Land Section of Register Unit No. CL. 280 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 Mr. S.C. Macey 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 4th March 1976.

(a) Mr. A. Ross and Messrs. Hextall, Erskine & Co. appeared for Mr. S.C. Macey and Mr. M. Trapaud the clerk to the Shalden Parish Council also appeared.

Mr. Ross produced a conveyance dated 4th September 1962 with plan attached whereby W.B. Drysdale conveyed to Mr. S.C. Macey the triangular piece of land denoted as Shalden Green on the Register Map.

Mr. Trapaud did not contest Mr. Maceys title to that land and though he stated that claims had in the past been made to the remaining two parts of the land in question he had no evidence as to the ownership thereof.

On this evidence I am satisfied that Mr. S.C. Macey is the owner of that triangular part of the land denoted as being Shalden Green on the Register Map and I shall accordingly direct the Hampshire County Council, as registration authority, to register Mr. S.C. Macey as the owner of that part of the land under section 3(2) of the Act of 1965.

(b) As to the remaining two parts of the land in question in the absence of any evidence I am not satisfied that any person is the owner of the land and it will therefore remain 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 10th day of March 1976

C. A. Sefton

Commons Commissioner

