



COMMONS REGISTRATION ACT 1965

Reference No.14/U/36

In the Matter of Shirley Recreation Ground,
Sopley, Hampshire.

DECISION

This reference relates to the question of the ownership of land known as Shirley Recreation Ground, Sopley, being the land comprised in the Land Section of Register Unit No.V.G.14 in the Register of Town or Village Greens 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 Sopley Parish Council and Mr. P.J.P. Green each claimed to be the freehold owner of the land in question and the Charity Commissioners 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 26th October 1973.

At the hearing the Sopley Parish Council was represented by Mr. J. Green, one of its members, and Mr. P.J.P. Green was represented by Mr. M.P. Lowry, his agent.

Mr. Lowry informed me that Mr. P.J.P. Green did not wish to pursue his claim in competition with the Parish Council.

The land the subject of the reference was allotted by Inclosure Award dated 24th February 1869, made under the Second Annual Inclosure Act 1864, to the Churchwardens and Overseers of Sopley to be held by them and their successors as a place for exercise and recreation for the inhabitants of the parish and neighbourhood. This land passed to and vested in the Sopley Parish Council by virtue of sections 6(1)(c)(iii) and 67 of the Local Government Act 1894.

For these reasons I am satisfied that the Sopley Parish Council is the owner of the land, and I shall accordingly direct the Hampshire County Council, as registration authority, to register the 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 28th day of November 1973

Chief Commons Commissioner