

COMMONS REGISTRATION ACT 1965



Reference No. 214/D/207

In the Matter of Slade Heath Pond, Crondall,
Hampshire

DECISION

This dispute relates to the registration at Entry No. 4 in the Land Section of Register Unit No. CL 320 in the Register of Common Land maintained by the Hampshire County Council and is occasioned by Objection No. OB 245 made by Mr J O J Stevens and noted in the Register on 11 March 1981.

I held a hearing for the purpose of inquiring into the dispute at Winchester on 21 March 1984. The hearing was attended by Mrs E M Manning, the applicant for the registration, and by Mr E Mason, Assistant County Secretary, on behalf of the registration authority. There was no appearance by or on behalf of the Objector.

The land comprised in the Register Unit was awarded by the Dippenhall Inclosure Award made in 1849 under the Annual Inclosure Act 1847 as a public pond. Even if the land was waste of a manor before 1847, it ceased so to be by being subject to inclosure. Since there is no registration in the Rights Section of the Register Unit, it follows that the land cannot fall within either limb of the definition of "common land" in Section 22(1) of the Commons Registration Act 1965.

For these reasons I refuse to confirm the registration.

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

30th

day of

April

1984

Chief Commons Commissioner