



COMMONS REGISTRATION ACT 1965

Reference No.14/U/156

In the Matter of The Chalk Pits,  
Micheldever Road, Andover, Hampshire.

DECISION

This reference relates to the question of the ownership of land known as The Chalk Pits, Micheldever Road, Andover, being the land comprised in the Land Section of Register Unit No.CL 302 in the Register of Common Land maintained by the former 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 former Andover Borough Council claimed to be the freehold owner 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 22nd January 1975.

At the hearing Mr S.C.Millen, solicitor, appeared on behalf of the Test Valley District Council, the successor of the former Andover Borough Council.

The land the subject of the reference is divided into two unequal portions by the road leading from Andover to Barton Stacey, the larger portion being to the north of the road and the smaller portion to the south.

By the Inclosure Award made 5th February 1785 under the Andover (sic) Inclosure Act of 1784 (24 Geo.III (sess.1), c.xiii ) the land to the north of the road was allotted to the Bailiff, Approved Men and Burgesses of the Borough of Andover. This land is shown as the property of the Corporation in the Tithe Apportionment Award of 1848.

In the Tithe Award the land to the south of the road was shown as the property of another owner, but on a map of the property belonging to the Borough Council of the Borough of Andover, dated 1859, among the archives of the former Borough Council this land is shown as the property of the Borough Council. On 1st April 1974 the property of the Borough Council was transferred to the District Council by the Local Authorities (England) (Property etc.) Order 1973 (S.I.1973, No.1861).

On this evidence I am satisfied that the Test Valley District Council is the owner of the land, and I shall accordingly direct the Hampshire County Council, as registration authority, to register the District 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



-2-

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 4<sup>th</sup> day of February 1975

Chief Commons Commissioner