



COMMONS REGISTRATION ACT 1965

Reference No.14/U/40

In the Matter of The Common,
Ellisfield, Hampshire.

DECISION

This reference relates to the question of the ownership of land known as The Common, Ellisfield, being the land comprised in the Land Section of Register Unit No.VG 29 in the Register of Town or Village Greens 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 no person claimed to be the freehold owner of the land in question and no one 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 May 1975.

At the hearing the Ellisfield Parish Council appeared by Mr A.D.Cole, its Chairman.

By the Inclosure Award dated 30th October 1851, made under the Annual Inclosure Act 1848, the land the subject of this reference was allotted to the Churchwardens and Overseers of the Parish of Ellisfield as a place of exercise and recreation. Under sections 6(1)(c)(iii) and 67 of the Local Government Act 1894 the land was transferred to the Parish Council.

On this evidence I am satisfied that the 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 26th day of June 1975

Chief Commons Commissioner