



COMMONS REGISTRATION ACT 1965

Reference No. 214/D/34 to 39

In the Matter of The Cricket Ground
Part of Kingsley Common, Kingsley,
East Hampshire D

DECISION

These disputes relate to the registration at Entry No. 1 in the Land Section and the deemed Rights in the Rights Section of Register Unit No. VG. 116 in the Register of Town or Village Greens maintained by the Hampshire County Council and are occasioned by Objection No. OB 264 made by the Secretary of State for Defence and noted in the Register on 22 October 1970, Objection No. OB 554 made by the Hampshire County Council (Highways Department) and noted in the Register on 5 February 1971, and the conflicting registration at Entry No. 1 in the Land Section of Register Unit No. CL. 41 in the Register of Common Land maintained by the Council.

I held a hearing for the purpose of inquiring into the dispute at Winchester on 4 March 1976. The hearing was attended by Mr Barlow, counsel, instructed by the Treasury solicitor on behalf of the Ministry of Defence, Mr C G Harding on behalf of the Hampshire County Council, Mr W J Haydon chairman of the Kingsley Parish Council and Mr John Ellis chairman of the Broxhead Commoners association.

Mr Barlow consented to the confirmation of the Entry No. 1 in the Land Section and Mr Ellis on behalf of the Commoners claiming deemed rights agreed that I should refuse to confirm any deemed rights over the village green. Mr Harding consented to the confirmation of the Entry No. 1 in the Land Section without prejudice to the rights of the Hampshire County Council and the public in the highways.

For these reasons I confirm the registration at No. 1 in the Land Section and refuse to confirm any deemed rights affecting the land in question.

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 18th day of March 1976

C. A. Settle

Commons Commissioner