



In the Matter of The Gravel Pits (10.257 acres),
Kingsclere, Hampshire (No. 2)

DECISION

This reference relates to the question of the ownership of land known as The Gravel Pits (10.257 acres), Kingsclere, being the land comprised in the Land Section of Register Unit No. CL 150 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 Messrs F A and R G Spratley 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 22 May 1975.

There was no appearance at the hearing. It was, however, subsequently discovered that through an oversight Messrs Spratley had not been given notice of the hearing. My decision is therefore a nullity.

I held a further hearing at Winchester on 22 February 1977. On this occasion Messrs Spratley were represented by Mr A T J Greenwood, solicitor, and the Kingsclere Parish Council was represented by Mr W E D Smith, its Clerk.

The land in question was conveyed to Messrs Spratley by a conveyance made 8 September 1959 between (1) The Warden and Scholars Clerks of St Mary College of Winchester (2) Frederick Albert Spratley and Ronald George Spratley. The conveyance was accompanied by a statutory declaration by the Barcar that the College had been in possession or in receipt of the rents and profits of the land for upwards of 30 years previously, and was authorised by an order of the Minister of Agriculture, Fisheries and Food.

On this evidence I am satisfied that Messrs F A and R G Spratley are the owners of the land, and I shall accordingly direct the Hampshire County Council, as registrars authority, to register them as the owner of the land under section 5(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 April 1977

Chief Commons Commissioner