



COMMONS REGISTRATION ACT 1965

Reference No.14/U/29

In the Matter of The Locks Heath Recreation Ground,Fareham, Hampshire.DECISION

This reference relates to the question of the ownership of land known as The Locks Heath Recreation Ground, being the land comprised in the Land Section of Register Unit No.V.G.94 in the Register of Town or Village Greens maintained by the 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 Fareham Urban District 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 13th December 1972.

The hearing was attended by Mr. T.E. Billington, Assistant Solicitor of the Fareham Urban District Council.

The land the subject of this reference was formerly part of Swanwick Common and was allotted and awarded to the Churchwardens and Overseers of the Poor of the parish of Titchfield as a place for exercise and recreation for the inhabitants of the parish by an Inclosure Award made 11th May 1866 under the Acts for the Inclosure, Exchange and Improvement of Land.

At some time before 28th March 1901 the part of the parish of Titchfield in which the land in question was situate had become part of the parish of Sarisbury and by a Scheme made by the Board of Charity Commissioners on that day this land was vested in the Sarisbury Parish Council and thereafter became vested in the Official Trustee of Charity Lands.

By the County of Southampton Review Order made under the Local Government Act 1929 the parish of Sarisbury became part of the Urban District of Fareham on 1st April 1932.

On 31st March 1933 the Board of Charity Commissioners made a Scheme whereby the land in question was divested from the Official Trustee of Charity Lands and vested in the Fareham Urban District Council.

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



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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 11<sup>th</sup> day of January 1973

Chief Commons Commissioner