



COMMONS REGISTRATION ACT 1965

Reference No.14/U/87

In the Matter of The Sheepwash,
Goodworth Clatford, Hampshire.

DECISION

This reference relates to the question of the ownership of land known as The Sheepwash, Goodworth Clatford, being the land comprised in the Land Section of Register Unit No.CL 56 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 Goodworth Clatford Parish 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 the Parish Council was represented by Mr B.S.Wainwright, solicitor.

The Parish Council has no deeds relating to the land in question, but Mrs M.I.Smith, the Clerk of the Council, produced the Council's minute book, which records the reading at the meeting held on 23rd January 1896 of a letter dated 5th November 1895 from Mr Thomas Lamb, a solicitor in Andover. In this letter it is stated that by a deed of exchange in 1859 the Rev.T.L.Iremonger gave this piece of land to the parish in lieu of the old Sheepwash, which had become the site of a house. Mr Lamb expressed the view that nobody could make any legal title to the land other than the parish or Mr Iremonger. The minute concludes: "Mr Lamb's letter being considered to satisfactorily show the right of the Parish to the Sheep Wash the meeting was closed".

The Parish Council in 1896 seems to have been somewhat easily satisfied, but having regard to the passing of nearly 80 years during which the Council's possession has been undisputed, it appears to me that the Council could now make out a good possessory title.

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 ~~4th~~ day of February 1975

Chief Commons Commissioner