



In the Matter of The Sheet Recreation Ground  
(part), Petersfield, Hampshire

DECISION

This reference relates to the question of the ownership of land described above being the part of the land comprised in the Land Section of Register Unit No. VG.141 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 Sir Alan Lubbock, Lady Lubbock, Mr R J Lubbock and Mr M Lubbock claimed to be the freehold owners (as trustees) 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 ownership of the land at Winchester on 29 January 1985. At the hearing Mr P R Jones, Solicitor, appeared on behalf of the claimants, and Mr J F Metpham represented Petersfield Town Council, which was not claiming ownership.

The part of the unit land which has a registered owner ("the owned part") is a substantial area lying in the western half of the unit land, and is not part of the land in question. Mr Jones produced a conveyance dated 19 April 1918 by which property known as the Adhurst Estate was conveyed to trustees for sale. On the documents I have seen it is not possible to identify the land in question as part of the property conveyed; however, in a Deed of Appointment dated 7 June 1948, by virtue of which the claimants are the present trustees for the purposes of the conveyance, the attached plan of the property then subject to the trusts does include the part of the land in question which lies on the east of the owned part ("the eastern area").

There is a small strip of the unit land lying on the western boundary of the owned part (the western strip) not included in the property shown on the plan, and as to this strip I am not satisfied that any person is the owner. I am satisfied on the evidence that the claimants are the owners of the eastern area and I shall direct Hampshire County Council as registration authority, to register them as such owners under Section 8 (2) of the Act of 1965. As to the western strip I shall direct the County Council to register Petersfield Town Council as owner under Section 8 (3).



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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

27<sup>th</sup>

day of

February

1985

*L. J. Morris Smith*

Commons Commissioner