



COMMONS REGISTRATION ACT 1965

Reference No. 214/D/145

In the Matter of The Street Recreation
Ground, Petersfield Town, East Hampshire
District, Hampshire

DECISION

This dispute relates to the registration at Entry No.1 in the Land Section of Register Unit No VG 141 in the Register of Town or Village Greens maintained by the Hampshire County Council and is occasioned by Objection No. OB 273 made by the said Council and noted in the Register on 4 September 1970.

I held a hearing for the purpose of inquiring into the dispute at Winchester on 20 March 1979. At the hearing (1) Mr Frederick John Osgood on whose application the registration was made, attended in person, (2) Petersfield Town Council, whose predecessors Petersfield Urban District Council are in the ownership Section registered as owners of a large part of the land in this Register Unit, were represented by Mr P Jenkins their clerk; and (3) Hampshire County Council were represented by Mr E Mason, senior assistant solicitor with the Council.

The land in this Register Unit is (according to the Register) about 8.7 acres. The grounds of the Objection are: "At the time of Registration not all the land was village green, but a public footpath crosses it as shown on the attached plan": the path so shown runs across, and a short distance from the south boundary of, the land.

Mr Mason said that the two Councils and Mr Osgood had reached agreement having regard to the circumstances that the south boundary of the land in this Register Unit as now registered, is at the bottom of a steep bank (there is a public carriageway on the south side outside the registration), and that there is at the top of this bank near this boundary (within the registration) a footpath. The agreement was that the County Council would withdraw their objection if there was excluded from the registration such last mentioned footpath (not that shown on the Objection plan) and the said steep bank on the south side of such footpath down to the edge of the carriageway, as shown on another plan which had been agreed.

I consider that I should give effect to this agreement, so (Mr Osgood and Mr Jenkins consenting) I confirm the registration with the modification that there be removed from the Register all the land which is not part of that edged green on the said agreed plan. For greater certainty, the agreed plan was signed by Mr Mason, Mr Jenkins and Mr Osgood, and a copy of it (the green edging having been thereon marked by me with a thick black line) forms page 2 of this decision.

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.

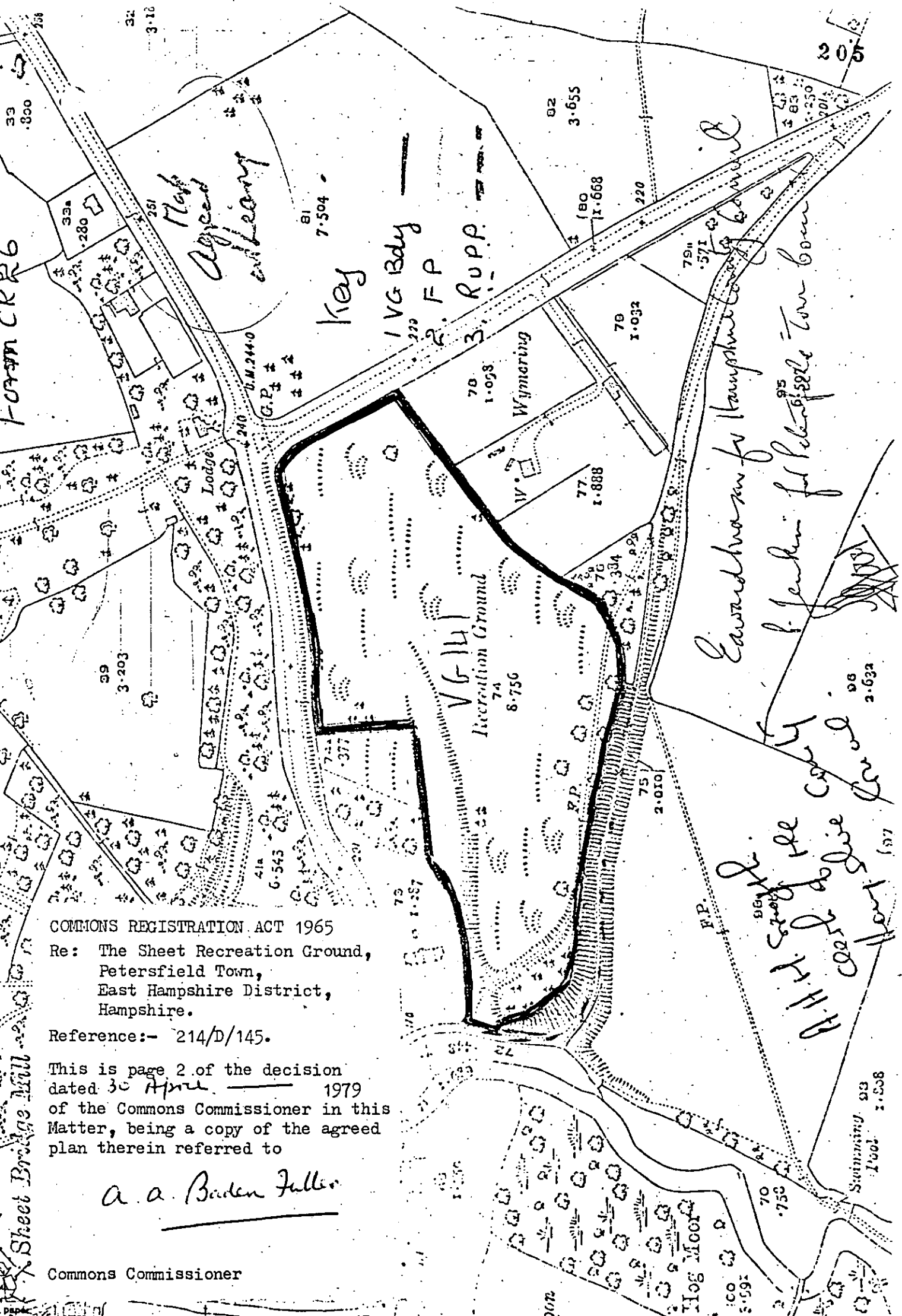
Dated this 30th — day of April — 1979.

a a Budge-John

Commons Commissioner



turn over



COMMONS REGISTRATION ACT 1965
 Re: The Sheet Recreation Ground,
 Petersfield Town,
 East Hampshire District,
 Hampshire.

Reference:- 214/D/145.

This is page 2 of the decision
 dated 30 April 1979
 of the Commons Commissioner in this
 Matter, being a copy of the agreed
 plan therein referred to

a. a. Baden Fuller

Commons Commissioner

Key
1 VG Bdy
2. F.P.
3. Rupp.
Wymering
VG 14
Recreation Ground
Lodge
Hog Moor
Swimming Pool
East Hampshire Council
Planning for Petersfield Town Council
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