



COMMONS REGISTRATION ACT 1965

Reference No.14/U/157

In the Matter of Wangfield Pond Curdridge
Winchester C.C.

DECISION

This reference relates to the question of the ownership of land known as Wangfield Pond Curdridge Winchester C.C. being the land comprised in the Land section of Register Unit No.CL.300 in the Register of Common Land 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 Curdridge 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 3rd March 1976.

Mr A Daunt appeared on behalf of the Curdridge Parish Council and produced an Inclosure Award whereby the land in question was set out as a public pond to be properly cleansed and repaired from time to time by the owner and proprietor of the allotment No.62. This appears to me to be a dedication to the public and not to the Parish and it may be implicit that the ownership in the soil was in the proprietor of allotment No.62 who was under an obligation to cleanse and repair the pond.

On this evidence I am not satisfied that any person is the owner of the land, and it will therefore remain subject to protection under section 9 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 9th day of March 1976

C. A. Little

COMMONS COMMISSIONER