



COMMONS REGISTRATION ACT 1965

Reference No. 214/U/78

In the matter of Yateley Common (part)

DECISION

This reference relates to the question of the ownership of part of the land comprised in the Land Section of Register Unit No. CL.24 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.

I held a hearing for the purpose of inquiring into the question of the ownership of the land at Winchester on 22 February 1989.

At the hearing Mr A. Ogdon, solicitor, represented the Hampshire County Council and Mr M Haxeltine represented the Hawley Parish Council.

The land referred to me consists of two areas -

(a) a strip of land running south from the Anchor Public House across Blackbushe airfield to land on road at Hartford Bridge Flats ("the western area")

(b) Two generally triangular pieces of the land on the north eastern perimeter of the unit, the western triangle bounded on the south by London Road and the east by Reading Road; the eastern triangle bounded on the south by London Road and on the west by Reading Road ("the eastern area").

The claim of Hampshire County Council

Mr Ogdon produced a letter from the Land Registry dated 20th February 1989 together with a plan which satisfied me that the western area is now registered under the Land Registration Acts. That being so I am not concerned with this area.

The claim of Hawley Parish Council

Mr Haxeltine produced -

1. a certified copy of a conveyance on sale dated 6 July 1951 whereby the Church Commissioners as Lords of the Manor and Hundred of Croadall conveyed to Yateley Parish Council among other land Yateley Green and Frogmore Green comprising together an area of 67 acres,

2. a certified copy of a conveyance (the original being lost) dated 25 September 1959 made between Yateley Parish Council and Hawley Parish Council reciting that, by an order dated 28 March 1958, the Minister of Housing and Local Government ordered certain land (of which the property conveyed forms part) to be transferred from the parish of Yateley to the parish of Hawley and that all property (not being property held on a charitable trust) vesting in the Yateley Council in respect of the transferred area should be transferred to and vested in the Hawley Council and conveying to the Hawley Council land identified on a plan which includes the whole of the eastern area.



On that evidence I am satisfied that the Hawley Parish Council are the owners of the eastern area.

I shall accordingly direct the Hampshire County Council, as registration authority, to register the Hawley Parish Council as the owner of that 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

24th

day of

February

1989

Peta Langdon-Davis

Chief Commons Commissioner