



In the Matter of Case's Green, Weston Patrick, Hampshire.

DECISION

These disputes relate to the registration at Entry No. 1 in the Land section of Register Unit No. VG 10 in the Register of Town or Village Greens maintained by the Hampshire Council and are occasioned by Objection No. OB 545 made by the former Hampshire County Council and noted in the Register on 1 February 1971, Objection No. OB 517 made by Mr C G Wright and noted in the Register on 20 January 1971 and Objection No. OB 492 made by Mr R Dunford and noted in the Register on 18 January 1971.

I held a hearing for the purpose of inquiring into the dispute at Winchester on 22 February 1977. The hearing was attended by Mr W J Burton, a parishioner, representing the Weston Patrick, Parish Meeting, on the application of whose Clerk the registration was made, by Mr G C Johnson, solicitor, on behalf of Mr Dunford, and by Mr Wright.

Mr Burton called no evidence, but sought to put in letters signed by two residents of the adjoining parish of Herriard. Mr Johnson objected to the reception of these letters as evidence, saying that he would wish to cross-examine the writers. In these circumstances I could do no other than sustain Mr Johnson's objection, but it is fair to add that, in my view, the objection was not without merit, since the two letters had clearly been produced by the same draftsman and presented to the signatories for signature, and so called for careful examination of viva voce evidence.

In these circumstances I refuse to confirm the registration.

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

26th

day of

April

1977

Chief Commons Commissioner