



COMMONS REGISTRATION ACT 1965

Reference No.14/U/25

In the Matter of Dibden Recreational Allotment,
Dibden, Hampshire.

DECISION

This reference relates to the question of the ownership of land known as Dibden Recreational Allotment, being the land comprised in the Land Section of Register Unit No.V.G.79 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, the Dibden 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 13th December 1972.

At the hearing Mr. P.L. Moses, Chief Solicitor of the New Forest Rural District Council, appeared for the Dibden Parish Council.

The land in question was allotted and awarded to the Churchwardens and Overseers of the Poor of the parish of Dibden to be held in trust as a place for exercise and recreation for the inhabitants of the parish and neighbourhood by an Inclosure Award made 3rd April 1862 under the Acts for the Inclosure, Exchange and Improvement of Land. By sections 6 and 67 of the Local Government Act 1894 the functions and property of the Churchwardens and Overseers in relation to this land were transferred to the Dibden Parish Council.

For these reasons I am satisfied that the Dibden Parish Council is the owner of the land, and I shall accordingly direct the Hampshire County Council, as registration authority, to register the Parish Council as the owner of the 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 11th day of January 1973

Chief Commons Commissioner