



COMMONS REGISTRATION ACT 1965

Reference No.14/U/149

In the Matter of Hurstbourne Common (part),
Hurstbourne Tarrant, Hampshire.

DECISION

This reference relates to the question of the ownership of land known as Hurstbourne Common (part), Hurstbourne Tarrant, being the land comprised in the Land Section of Register Unit No.CL 327 in the Register of Common Land maintained by the former 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 no person claimed to be the freehold owner of the land in question and no one 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 22nd January 1975.

Miss H.M.Raynham appeared at the hearing. She was unable to produce any evidence, but she informed me that the land in question was held in trust for her by The Royal Exchange Assurance Company and she was able to give me the number of the trust. Enquiries made by the Clerk of the Commons Commissioners elicited documentary evidence that this land formed part of a much larger area which was the subject of a conveyance made 7th May 1934 between (1) Thomas Place and (2) Henry Wykey Prosser. Probate of Mr H.W.Prosser's will was granted on 15th January 1935 and by an assent dated 14th March 1938 The Royal Exchange Assurance as personal representatives assented to the vesting in themselves all the property conveyed to Mr Prosser by Mr Place.

On this evidence I am satisfied that The Royal Exchange Assurance is the owner of the land, and I shall accordingly direct the Hampshire County Council, as registration authority, to register The Royal Exchange Assurance 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 7th day of March 1975


Chief Commons Commissioner