

COMMONS REGISTRATION ACT 1965



Reference No. 214/U/29

In the Matter of Kingsclere Recreation
Ground, Kingsclere, Hampshire

DECISION

This reference relates to the question of the ownership of land known as Kingsclere Recreation Ground, Kingsclere, being the land comprised in the Land Section of Register Unit No. VG.54 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 no person claimed to be the freehold owner of the land in question, but Mr B J Lloyd 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 25 October 1983. At the hearing the Kingsclere Parish Council was represented by Mr W E D Smith, its Clerk.

By the Inclosure Award made in 1845 under the Kingsclere Inclosure Act 1842 (5²⁶ Vict, c 5 (Private)) the land in question was awarded to the Churchwardens and Overseers of the Poor of the parish of Kingsclere as a place of exercise and recreation for the inhabitants of the parish and neighbourhood. This part of the land was transferred to the Parish Council by Section 6 (1)(c)(iii) of the Local Government Act 1974.

Mr Lloyd helpfully put his argument into writing, and a copy of it is attached to this decision.

On the evidence before me I am satisfied that the Kingsclere 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 that part of the land under section 3 (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

14th

day of November 1983

G. G. G. G.
Chief Commons Commissioner