



COMMONS REGISTRATION ACT 1965

Reference No.14/U/125

In the Matter of Kingsley Common (part),
Kingsley, Hampshire.

DECISION

This reference relates to the question of the ownership of land known as Kingsley Common (part), Kingsley, being the land comprised in the Land Section of Register Unit No.CL 191 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 the Secretary of State for Defence 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 21st May 1975.

At the hearing the Secretary of State for Defence was represented by Mr H.B.Jones of the Treasury Solicitor's Department.

The land the subject of this reference, with other land, was the subject of a conveyance dated 11th November 1927 between (1) Henry John Dutton (2) Edward Annesley Pegge Burnell Smith-Milnes, Oswald Henry Philip Turville-Petre and Charles John Philip Cave (3) His Majesty's Principal Secretary of State for the War Department. The land in question became vested in the Secretary of State for Defence by operation of law in 1964.

On this evidence I am satisfied that the Secretary of State for Defence is the owner of the land, and I shall accordingly direct the Hampshire County Council, as registration authority, to register him 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 10th day of June 1975

Chief Commons Commissioner