



In the Matter of Land by Little London Road opposite
Byes Lane, Silchester, Hampshire.

DECISION

This reference relates to the question of the ownership of land by Little London Road opposite Byes Lane, Silchester, being the land comprised in the Land Section of Register Unit No. CL 132 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 Lily Heath Properties Ltd 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 22 February 1977.

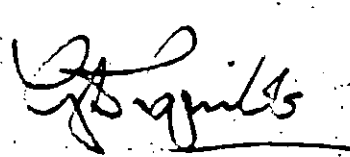
The hearing was attended by Mr D T Mackintosh, Vice-Chairman of the Silchester Parish Council, and Mr J Sweetland, solicitor, on behalf of Lily Heath Properties Ltd.

By a conveyance made 14 March 1973 between (1) Peter Francis Walter Kerr, Marquess of Lothian, Charles Edward Peter Neil Wood commonly called Lord Irwin, and John Rupert Colville (2) Arthur Valerian, 8th Duke of Wellington (3) Richard Wellesley and Arthur James Robert Collins (4) Lily Heath Properties Ltd under the powers of the Wellington Estate Act 1972 the land in question was conveyed to Lily Heath Properties Ltd.

On this evidence I am satisfied that Lily Heath Properties Ltd is the owner of the land, and I shall accordingly direct the Hampshire County Council, as registration authority, to register that company 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 13th day of May 1977


Chief Commons Commissioner