



COMMONS REGISTRATION ACT 1965

Reference No. 14/D/15 and 16

In the Matter of No. 1 Watering Place,  
Longparish, Test Valley DC

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DECISION

These disputes relate to the registration at Entry No. 1 in the Land Section of Register Unit No. CL. 139 in the Register of Common Land maintained by the Hampshire County Council and are occasioned by the conflicting registration at Entry No. 1 in the Register of Town or Village Greens maintained by the Council.

I held a hearing for the purpose of inquiring into the dispute at Winchester on 3<sup>rd</sup> March 1976. The hearing was attended by Mr J H Driver, chairman, appearing on behalf of Longparish Parish Council which registered the land as a village green and Mr J E H Spaul who registered the land as common land appearing in person.

There are no entries in the Rights Section of Unit CL. 139 and Mr Driver told me of an inclosure award whereby the land was allotted to certain individuals for the purposes of watering animals in the river. It is clear from these facts that the land is not common land as defined in section 22 of the Act of 1965.

The land is 0.16 of an acre and it is hardly surprising that there was no evidence of its uses for sports pastimes and the land is clearly not a village green as defined in the said Act.

It may well be that there is a right of way over the land with animals for the purpose of access to the river but this inquiry is not concerned with rights of way.

For these reasons I refuse to confirm both registrations.

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 10<sup>th</sup> day of March

1976

C A. Jettie

Commons Commissioner