



COMMONS REGISTRATION ACT 1965

Reference No. 14/U/8

In the Matter of Stocks Green,
Chilbolton, Hampshire.

DECISION

This reference relates to the question of the ownership of land known as Stocks Green, Chilbolton, being the land comprised in the Land Section of Register Unit No.V.G.28 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 the Chilbolton Parish Council 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 13th December 1972.

At the hearing the Chilbolton Parish Council was represented by Mr. E.G. Laishley, its Clerk.

Mr. Laishley adduced in evidence a conveyance made 1st April 1954 between the Church Commissioners for England and the Parish Council, whereby there were conveyed to the Parish Council with other land not relevant to these proceedings "all or any other pieces of waste or commonable land situate within the said Parish of Chilbolton". Mr. Laishley said that he understood that these pieces of waste or commonable land included the land the subject of this reference. I find myself unable to say that this was so. However, be that as it may, this is the site on which the village stocks stood and, although the stocks disappeared many years ago, during the whole of the 30 years of Mr. Laishley's residence in the parish the Parish Council has maintained and renewed a post and chain fence round the land in question. Whatever may be the position under the conveyance of 1954, I find that the Parish Council has exercised rights of ownership over this land for many years and is unlikely to be disturbed.

I am therefore satisfied that the 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 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 8th day of January 1973


Chief Commons Commissioner