



COMMONS REGISTRATION ACT 1965

Reference No.14/U/23

In the Matter of The Hambledon Recreational
Allotment, Hambledon, Hampshire.

DECISION

This reference relates to the question of the ownership of land known as The Hambledon Recreational Allotment, Hambledon, being the land comprised in the Land Section of Register Unit No.V.G.75 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 and no one 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 14th December 1972.

At the hearing Mr. F.J. Osgood, the applicant for the registration, produced certified copies of the relevant parts of the Broadhalfpenny Down Inclosure Award made in 1857 under the Second Annual Inclosure Act 1852, whereby the land the subject of this reference was allotted to one John Foster. Mr. Osgood was, however, unable to adduce any evidence as to who is the present successor in title to John Foster.

In the absence of any such evidence I am not satisfied that any person is the owner of the land, and I shall accordingly direct the Hampshire County Council, as registration authority, to register the Hambledon Parish Council as the owner of the land under section 8(3) 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 11th day of January 1973


Chief Commons Commissioner