



COMMONS REGISTRATION ACT 1965

Reference No.214/U/7

In the Matter of The John Ward Playing Field,
Appleshaw, Hampshire.

DECISION

This reference relates to the question of the ownership of land known as The John Ward Playing Field, Appleshaw, being the land comprised in the Land Section of Register Unit No.VG 166 in the Register of Town or Village Greens 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 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 22nd January 1975.

At the hearing the Appleshaw Parish Council was represented by its Clerk, Mr E.P.Woolgrove.

By a conveyance made 19th April 1934 between (1) John Ward (2) John Edward Bernard, Baron Mottistore and others the land in question was conveyed on trust for the Hampshire and Isle of Wight Branch of the National Playing Fields Association for the purposes of a playing field and recreation ground for the parish of Appleshaw. In 1969 it was arranged that the Parish Council should manage the land and that Council has since maintained it and spent money on fencing. However, the fee simple in the land still remains with the trustees under the 1934 conveyance. The present trustees were appointed on 30th December 1968.

On this evidence I am satisfied that the present trustees are the owners of the land, and I shall accordingly direct the Hampshire County Council, as registration authority, to register the trustees as the owners 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 6th day of February 1975

Chief Commons Commissioner