



COMMONS REGISTRATION ACT 1965

Reference No.14/U/119

In the Matter of Top Green,  
Lockerley, Hampshire.

DECISION

This reference relates to the question of the ownership of land known as Top Green, Lockerley, being the land comprised in the Land Section of Register Unit No.C.L.136 in the Register of Common Land 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 Dr. and Mrs. A.G.C. Taylor claimed to be the freehold owners 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 10th January 1974.

Mr. R.W. Mackean, solicitor, appeared on behalf of Dr. and Mrs. Taylor.

The land in question, with other land, was conveyed to Dr. and Mrs. Taylor by a conveyance made 1st October 1965 between (1) Henry James Aylward (2) Alexander Giles Cameron Taylor and Mary Katherine Taylor, his wife. The land was the subject of a legal charge made 21st May 1931 between (1) H.J. Aylward (2) Richard Nunn Aylward. It appears from a statutory declaration made by Mr. H.J. Aylward on 11th July 1961 that the land had been farmed by his father, Mr. Henry Nunn Aylward, from about 1900 to 1930 and subsequently by Mr. H.J. Aylward. Since 1965 Dr. Taylor has taken a hay crop from the land each year without any adverse claim being made.

On this evidence I am satisfied that Dr. and Mrs. Taylor are the owners of the land, and I shall accordingly direct the Hampshire County Council, as registration authority, to register them 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 *1st* day of February 1974

  
Chief Commons Commissioner