



COMMONS REGISTRATION ACT 1965

Reference No.41/U/27

In the Matter of Two Pieces of Land on  
either side of the River Dun, West Dean,  
Wiltshire.

DECISION

This reference relates to the question of the ownership of two pieces of land on either side of the River Dun, West Dean, being the land comprised in the Land Section of Register Unit No.CL 48 in the Register of Common Land maintained by the former Wiltshire 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 West Dean Parish Council and Whitbread Wessex Ltd each 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 Salisbury on 25th February 1975.

At the hearing the Parish Council was represented by Mr C.H.Averill, its Deputy Chairman, and Miss M.Peto, solicitor, appeared on behalf of Strong and Company of Romsey Ltd, a subsidiary of Whitbread Wessex Ltd.

Mr Averill had no evidence as to the ownership of any of the land. At one time there was a seat on part of it provided by subscriptions by parishioners and there is a tree on another part also provided by subscription. The grass on part of the land is mown regularly by employees of the County Council, and some land drains have been laid in it by the Hampshire County Council.

A very small portion on the eastern side of the land in question was conveyed to Strong and Company of Romsey Ltd by a conveyance made 1st November 1945 between (1) Ellen Mary Singer and John Edward Eastley (2) Strong and Company of Romsey Ltd, and since that conveyance Strong and Company of Romsey Ltd has been in undisputed possession of this small area.

On this evidence I am satisfied that Strong and Company of Romsey Ltd is the owner of the part of the land in question which was the subject of the 1945 conveyance, but I am not satisfied that any person is the owner of the remainder of the land, and I shall accordingly direct the Wiltshire County Council, as registration authority, to register Strong and Company of Romsey Ltd as the owner of the part of the land which was the subject of the 1945 conveyance. The remainder of the land will therefore remain subject to protection under section 9 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 **21st** day of March 1975

A handwritten signature in cursive script, appearing to read 'G. D. Laquib', with a horizontal line underneath the name.

Chief Commons Commissioner