



COMMONS REGISTRATION ACT 1965

Reference No.14/U/38

In the Matter of Kimpton Village Green,Kimpton, Hampshire.DECISION

This reference relates to the question of the ownership of land known as Kimpton Village Green, Kimpton, being the land comprised in the Land Section of Register Unit No.VG 17 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 but the Charity Commissioners 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 Kimpton Parish Council was represented by its Clerk, Mr G.H.Beese. The Charity Commissioners filed an affidavit by Mr H.W.Pyle, one of their officers.

By a conveyance made 20th November 1926 between (1) Charles Foyle Randolph (2) Rev.John Walter Brady Moore, Stuart Hay, and Myra Charlotte Foyle Randolph the land the subject of the reference was conveyed to form the site of a village hall for the benefit of the inhabitants of the parish of Kimpton.

In 1948 the Lord Chancellor granted a certificate under section 3(1) of the Law of Property (Amendment) Act 1926 enabling the Parish Council to act as a trust corporation, and by a scheme of the Charity Commissioners made 29th March 1949 the land in question was vested in the Parish Council. Since then the Parish Council has been in undisputed possession of the land.

On this evidence I am satisfied that the Kimpton 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 4th day of February 1975


Chief Commons Commissioner