



COMMONS REGISTRATION ACT 1965

Reference Nos. 214/D/77, 78 &amp; 79

In the Matter of Piece of land near  
St. Mary Magdalenes Church, Selborne  
East Hampshire District

DECISION

These disputes relate to the registration at Entry No.1 in the Land Section and the deemed Entries in the Rights Section of Register Unit No.VG.124 in the Register of Town or Village Greens maintained by the Hampshire County Council and are occasioned by Objection No.OB587 made by Hampshire County Council and noted in the Register on 19th March 1971 and the conflicting registration at Entry No.3 in the Land Section of Register Unit No.CL.109 in the Register of Common Land maintained by the Council.

I held a hearing for the purpose of inquiring into the dispute at Winchester on 4th March 1976. The hearing was attended by Mr. Barlow, counsel, instructed by the Treasury Solicitor on behalf of the Mr.J.C. Harding on behalf of the Hampshire County Council, Mr John Ellis on behalf of the Broxhead Commoners Association and Commander Roger on behalf of the Selborne Parish Council.

The land was registered as a village green by the Selborne Parish Council and Commander Rogor invited me to exclude from that registration the two plots of land to the West of the road Mr Barlow was content that I should confirm the registration as regards the remainder of the land viz - the triangular plot to the East of the road. Mr Ellis was content that I should refuse to confirm any deemed rights over the modified Entry in the Land Section and produced a signed consent to that affect by the applicants for rights. Mr Harding raised no objection to my confirming the Land Registration as modified without prejudice to the rights of the public and the Hampshire County Council in respect of highways.

For these reasons I confirm the registration modified so as to exclude the two pieces of land to the West of the road.

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

18<sup>th</sup>

day of March

1976

Commons Commissioner