COMMONS REGISTRATION ACT 1965

Reference No.14/U/16

In the Matter of The Parish Quay,
Botley, Hampshire.

DECISION

This reference relates to the question of the ownership of land known as The Parish Quay, Botley, being the land comprised in the Land Section of Register Unit No.V.G.50 in the Register of Town or Village Greens 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, 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 14th December 1972.

At the hearing the Botley Parish Council was represented by Mr. A.J. Tickner its Vice-Chairman. Mr. Tickner produced a copy of a perambulation of the boundaries of the Manor of Botley made in 1769, from which it appeared that the land the subject of this reference was then within the Manor, and copies of two reports by the Honorary Legal Adviser of the Hampshire Association of Parish Councils made in 1965 and 1966. While I have read these documents with interest, they do not disclose any evidence upon which I would be prepared to find that either the Parish Council or anyone else is the owner of this land.

In these circumstances I am not satisfied that any person is the owner of the land, and I shall accordingly direct the Hampshire County Council, as registration authority, to register the Botley Parish Council as the owner of the land under section 8(3) 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 11th day of January 1973

Chief Commons Commissioner