



COMMONS REGISTRATION ACT 1965

Reference No.41/U/44

In the Matter of Whiteparish Common (parts),
Whiteparish, Wiltshire.

DECISION

This reference relates to the question of the ownership of parts of the land known as Whiteparish Common, Whiteparish, being parts of the land comprised in the Land Section of Register Unit No.CL 7 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 Mr R.G.Stride, Mrs V.M.B.Stride, Mr J.L.M.Andrews, Miss M.L.Andrews, and Mr and Mrs D.C. Goodfellow claimed to be the freehold owners of parts 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 Mr and Mrs Stride were represented by Mr Fletcher, solicitor; I gave leave for Mr A.P.Wiltshire, an articled clerk with Messrs. Wilson & Sons to appear for Mr Andrews and Miss Andrews; and Mr Goodfellow appeared in person.

The land the subject of this reference consists of three comparatively small parts of the land comprised in the Register Unit, most of which is the subject of two undisputed registrations in the Ownership Section of the Register Unit.

One of the three pieces of land the subject of the reference lies to the south of Herrington Cottage and was conveyed by an indenture made 24th December 1924 between (1) Thomas Horatio, Earl Nelson (the Vendor)(2) The Vendor and the Hon.Edward Agar Horatio Nelson (3) Eliza Blanche, Viscountess Trafalgar (4) Charles Clement Tudway and Frederick John Dalgety (5) George Stride. By an assent made 3rd February 1965 Mr R.G.Stride as the personal representative of Mr G.Stride assented to the vesting of this, with other land, in himself and Mrs. V.M.B.Stride.

A triangular piece at the north-western extremity of the land comprised in the Register Unit was the subject of a conveyance made 11th November 1924 between the first four parties to the conveyance of 24th December 1924 and (5) John Andrews junior. This piece of land was vested in Mrs Agnes Lily Andrews by a vesting assent made 13th December 1954. Mrs A.L.Andrews died on 20th September 1966 and Mr J.L.M.Andrews and Miss M.L.Andrews vested the land in themselves on 1st May 1967.



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The remaining piece of land is a long narrow strip on the western side of the land comprised in the Register Unit. A very small area at the northern end of this strip was the subject of a conveyance made 5th December 1958 between (1) Ernest Tanner (2) Ronald George Stride and was conveyed to Mr and Mrs Goodfellow on 9th January 1975.

On this evidence I am satisfied that Mr and Mrs Stride, Mr and Miss Andrews and Mr and Mrs Goodfellow are the owners of their respective parts of the land, and I shall accordingly direct the Wiltshire County Council, as registration authority, to register them as the owners of their respective parts under section 8(2) of the Act of 1965. The remainder of the land comprised in the reference will 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 19th day of March 1975

Chief Commons Commissioner