

19

27th September, 1973

Dear Sir,

Commons Registration Act, 1965
Broxhead Common

With reference to your letter dated 27th September I am afraid I cannot give you any approximation of the date when the Broxhead case is likely to be heard by the Commons Commissioner, but I can say that whatever that date happens to be you will receive at least one month's notice by the Commissioner. The procedure is that cases are referred by myself to the Commissioner and these are published as soon as I am given the necessary reference numbers to be quoted if the reference is one of unclaimed ownership only. It is no doubt a list of such unclaimed ownership cases which you have recently seen in the local press. If the case is a dispute case then it is not published since it is only the parties to the dispute who are involved, and all of these are given individual notice by the Commissioner when a hearing has been arranged - as I have stated it is at least one month's notice, as required by Regulations.

The Broxhead case has, in fact, not yet been submitted to the Commissioner, for a combination of reasons. First I am well aware that the Commissioner has a very large backlog of cases to be dealt with since from Hampshire alone there are some 100 or more cases (mainly of unclaimed ownership) yet to be heard, many of which were submitted long ago as November, 1972. Secondly we shall not know precisely what remains to be submitted to the Commissioner until all the settlements agreed before 31st July have been sorted out and the registrations cancelled or modified as necessary, and this we are currently dealing with. Thirdly there are many registrations the subject of dispute in which the County Council are themselves involved and the instructions of appropriate Committee will have to be sought as to whether they withdraw or pursue the registrations they have made. Broxhead Common was in the first place, registered by the County Council themselves without application so that it is a case where the Committee's instructions should be sought, although it is, I think, a foregone conclusion that they would not withdraw even if they did ^{the} case would still be referred in view of rights which have been registered and are maintained by the applicants.

In conclusion I would add that I shall be submitting cases to the Commissioner quickly as possible, but because there are so many unresolved disputes this will necessarily take some time, and further it will be even longer before they are all heard - I should say at least some 5 or more years.

Yours faithfully,


for Clerk of the County Council.

J.H. Ellis, Esq.,
Chairman,
Broxhead Commoners' Association,
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BORDON,
Hants.

Clerk of the Headley Parish Council,
20, Church Fields,
Headley,
Bordon, Hants.

VVV
Clerk of the County Council.