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10 DOWNING STREET

19 October 1978

Dear Mr Nicholson

The Prime Minister has asked me to thank you for your recent letter which is receiving attention.

Yours sincerely

A handwritten signature in cursive script, appearing to read "James Callaghan".

B Nicholson Esq

Amberwood,
Headley Village,
Bordon,
Hampshire.

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16th October 1978.

Sir,

Commons Registration Act 1965.
Broxhead Common CL 147 (404 acres).

I seek your help with regard to the present unsatisfactory state of affairs in connection with the registration and protection of this Common.

Brief history:

Broxhead is an ancient and non-enclosed part of the old Manor of Broxhead open to the general public and recognised as the waste of this Manor. In addition some local residents enjoy specified rights over the Common and these people are associated as commoners.

According to the above Act Broxhead was therefore eligible for registration and this was done as a provisional measure by the Hampshire County Council. Subsequently the owner of the Common contested the registration and a case was heard before the Chief Commons Commissioner in 1974. This case was won by the commoners after substantial expense to their funds, and 17 Rights of Common were proven.

In 1977 the owner persisted with another appeal, and this time to the High Court, which he also lost. However, by a curious decision the majority of the proven Rights were described at some stage as belonging to the "western" portion, and this judgement appears to have weakened the overall position and enabled the owner to take advantage of the separate recognition of the "eastern" part of the Common. By buying Rights, and maintaining enclosure of a substantial parcel of land he is now depriving the Parish of Headley of nearly half its heritage.

In view of this situation I would like to know why this was permitted, and why Broxhead Common has not been registered as either:-

- (i) the waste of the Manor of Broxhead?
- or
- (ii) as a whole Common of approximately 404 acres with some 17 proven Rights?

I would be very grateful for your special involvement in this important matter, and for your advice as to what action can now be taken to preserve the ancient usage and freedom of the whole of Broxhead Common for this and future generations, and according to the purpose of the Act.

I am Sir,

Yours faithfully,

(Brian Nicholson)

The Prime Minister,
10 Downing Street,
London.