



In the Matter of Loxton Recreation Allotment,
Loxton, Avon.

DECISION

This reference relates to the question of the ownership of land known as Loxton Recreation Allotment, Loxton, being the land comprised in the Land Section of Register Unit No. VG 70 in the Register of Town or Village Greens maintained by the former Somerset 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 the Loxton Parish Council claimed to be the freehold owner 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 Weston-super-Mare on 18 October 1978.

At the hearing the Parish Council was represented by Mr L F Martin, its Clerk.

The land in question was allotted and awarded by the Loxton Hill and Common Inclosure Award made on 8 August 1853 under the Second Annual Inclosure Act 1849 to the Churchwardens and Overseers of the Poor of the parish of Loxton in trust as a place of exercise and recreation for the inhabitants of the parish and neighbourhood. The ownership was transferred to the Parish Council by sections 6(1)(c)(iii) and 67 of the Local Government Act 1894.

On this evidence I am satisfied that the Parish Council is the owner of the land, and I shall accordingly direct the Avon County Council, as registration authority, to register the Parish Council as the owner of the land under section 8(2) 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

3rd

day of

November

1978.

CHIEF COMMONS COMMISSIONER