



In the Matter of Port Down, Hungerford,
Berkshire

DECISION

This reference relates to the question of the ownership of land known as Port Down, Hungerford, being the part of the land comprised in the Land Section of Register Unit No CL 82 in the Register of Common Land maintained by the former Berkshire 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 Trustees of the Charity called or known as the Town and Manor of Hungerford and Property administered therewith in the Ancient Parish of Hungerford in the County of Berks 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 Newbury on 2 February 1978.

At the hearing Mr J Marshall, solicitor, the Clerk to the Trustees, appeared on behalf of the Trustees.

The land in question was vested in the Official Custodian for Charities by a scheme set out in the schedule to an Order of the Charity Commissioners of 11 February 1908, as affected by the Charities Act 1960.

On this evidence I am satisfied that the Official Custodian for Charities is the owner of the land, and I shall accordingly direct the Berkshire County Council, as registration authority, to register him 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 March 1978


CHIEF COMMONS COMMISSIONER