



COMMONS REGISTRATION ACT 1965

Reference No.2/U/9

In the Matter of Riseley Recreation
Ground, Swallowfield, Berkshire.

DECISION

This reference relates to the question of the ownership of land known as Riseley Recreation Ground, Swallowfield, being the land comprised in the Land Section of Register Unit No.V.G.19 in the Register of Town or Village Greens maintained by the 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 Swallowfield 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 Reading on 5th October 1972.

By an inclosure award made 7th April 1865 ~~made~~ under the Acts for the Inclosure, Exchange, and Improvement of Land the land in question was allotted to the Churchwardens and Overseers of the Poor of the parish of Swallowfield as a place for exercise and recreation for the inhabitants of the parish and neighbourhood; such an allotment being authorised by s.73 of the Inclosure Act 1845. This allotment passed to and vested in the Swallowfield Parish Council by the combined effect of section 6(1)(c)(iii) and section 67(1) of the Local Government Act 1894.

For these reasons I am satisfied that the Parish Council is the owner of the land, and I shall accordingly direct the Berkshire County Council, as registration authority, to register the Swallowfield 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 25th day of October 1972

Chief Commons Commissioner