



COMMONS REGISTRATION ACT 1965

Reference No.9/U/35

In the Matter of The Parracombe Pleasure Ground
Parracombe, Devon.

DECISION

This reference relates to the question of the ownership of land known as The Parracombe Pleasure Ground, Parracombe, being the land comprised in the Land Section of Register Unit No.VG.53 in the Register of Town or Village Greens maintained by the former Devon 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 Parracombe 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 Exeter on 3rd July 1975.

At the hearing the Parish Council was represented by Mr W.D.Pennycook, senior legal executive of the North Devon District Council.

The land the subject of the reference was allotted by the Inclosure Award, dated 17th November 1862, made under the Second Annual Inclosure Act 1857 to the Churchwardens and Overseers of the Poor of the parish of Parracombe in trust as a place for exercise and recreation for the inhabitants of the parish and neighbourhood. By virtue of sections 6(c)(iii) and 67 of the Local Government Act 1894 the land was transferred to the Parish Council.

On this evidence I am satisfied that the Parish Council is the owner of the land, and I shall accordingly direct the Devon 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 Commssioners 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 17th day of July 1975

Chief Commons Commissioner