



In the Matter of God's Blessing Green in
the parish of Holt, Dorset

DECISION

This reference relates to the question of the ownership of land known as God's Blessing Green in the parish of Holt being the land comprised in the Land Section of Register Unit No. CL.80 in the Register of Common Land maintained by the Dorset 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 Henry John Ralph Bankes 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 Dorchester on 28 January 1981.

Mr Michael Palmer of Messrs. Gregory Rowcliffe and Co., Solicitors of London appeared for Mr Bankes. Mr Palmer produced an Abstract of a Deed of Disentail made by Mr Bankes on 16 July 1923 and informed me that the land was within the Manor of Kingston Lacy in the parish of Holt.

He called two witnesses.

Mr Arthur Edgar Dacombe said he had lived at Broomhill for 75 years. The land had always been known as God's Blessing Green and as part of the Bankes Estate. anything done on the land, such as trimming trees, had always been done for the Estate.

Mr Eric Trevor Rhodes who had been Agent for the Estate since 1945, said that part of the land fronting God's Blessing Farm was the subject of a Licence granted by the Estate to cut the grass and maintain the trees. The licence was not produced.

Mr Rhodes said that another part of the land had been sold as a right of way. As Mr Rhodes thought that the land had been sold outright as opposed to an easement only I asked Mr Palmer to send me a copy of the document.

This I have now received. It is in the form of a receipt signed by Mr Bankes acknowledging the payment of £20 for the use of a strip of land as a right of way.

The Deed of Disentail is drafted in the most general terms and purports to deal with property settled by a settlement made by the Rt. Honourable George Bankes on 3 July 1855 and a settlement created by his will dated 28 July 1855 and proved on 15 August 1856. There is no evidence that the Manor of Kingston Lacy was comprised in another settlement or how it became part of the Bankes Estate. No one was called to identify the land or any of the estate maps or other records. The two licences deal with such a small part of the land as to be of little value as evidence of ownership.



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On this evidence I am not satisfied that any person is the owner of the land, and It will therefore remain subject to protection under section 9 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 4 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 March 1981

A handwritten signature in black ink, appearing to read 'C. H. H. H.', written in a cursive style.

Commons Commissioner