



COMMONS REGISTRATION ACT 1965

Reference No. 10/U/3

In the Matter of Poor Mead Common,
Powerstock, Dorset

DECISION

This reference relates to the question of the ownership of land known as Poor Mead Common, Powerstock, being the land comprised in the Land Section of Register Unit No. C.L.25 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 the Charity Commissioners 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 12th May 1972.

At the hearing Mr. John Shoolbridge, the Chairman of the Powerstock Parish Council, produced an affidavit sworn by Mr. Robert Dawson on behalf of the Charity Commissioners.

The rent of the land in question in this reference has been immemorially applied to the use of the poor of the parish of Powerstock. In 1837 the rent was paid to the Churchwardens who laid it out on the purchase of loaves of bread for the poor. However, the Churchwardens have not acted in the administration of the charity for many years. It seems probable that they were replaced as trustees by two nominees of the Parish Council appointed pursuant to section 14 (2) of the Local Government Act 1894, now largely re-enacted in section 37(4) of the Charities Act 1960.

Mr. Shoolbridge informed me that at present all the members of the Parish Council act as trustees of the poor. That, however, does not make the Parish Council the owners of the land: cf: In the Matter of Bodham Common, Bodham, Norfolk (1972), 25/U/6.

For these reasons I am satisfied that the Trustees for the Poor of the Parish of Powerstock are the owners of the land, and I shall accordingly direct the Dorset County Council, as registration authority, to register the Trustees as the owners of the land.

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 23rd day of May 1972


Chief Commons Commissioner