



COMMONS REGISTRATION ACT 1965

Reference No. 210/U/61

In the Matter of Recreation Allotment,
Marnhull, Dorset

DECISION

This reference relates to the question of the ownership of land known as Recreation Allotment, Marnhull, being the land comprised in the Land Section of Register Unit No. VG 28 in the Register of Town or Village Greens 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 Mr R Sharp 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 5 March 1980.

At the hearing Mr Sharp appeared in person.

The land in question was set out, allotted, and awarded to the Churchwardens and Overseers of the Poor of the Parish of Marnhull in trust as a place of exercise and recreation for the inhabitants of the parish and neighbourhood by the Marnhull Inclosure Award made on 15 December 1862 under the Acts for the Inclosure, Exchange and Improvement of Lands.

The land was transferred to the Marnhull Parish Council by sections 6(1)(c)(iii) and 67 of the Local Government Act 1894.

By an indenture made 5 March 1921 between (1) The Parish Council (2) The Minister of Agriculture and Fisheries (3) James Sharp the land was conveyed to Mr J Sharp, and it passed to Mr R Sharp by a deed of gift made 5 April 1965 between (1) J Sharp (2) Rex Sharp.

On this evidence I am satisfied that Mr R Sharp is the owner of the land, and I shall accordingly direct the Dorset 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

24~~th~~

day of

March

1980

Chief Commons Commissioner