

JL

COMMONS REGISTRATION ACT 1965



Reference No. 210/U/106

In the Matter of Roadside Waste at Junction
of A354 and BR14, Bincombe, Dorset

DECISION

This reference relates to the question of the ownership of roadside waste at the junction of the A354 and BR14 roads, Bincombe, being the land comprised in the Land Section of Register Unit No. CL 344 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 Upwey United Charities 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 8 March 1984.

At the hearing the Revd. A Freer represented the Upwey United Charities.

The land in question was allotted and awarded to the Churchwardens and Overseers of the parish of Bincombe for the poor of the parish by the inclosure award made under the Bincombe Inclosure Act of 1824 (5 Geo. IV, C.12 (private)). By a scheme made 20 June 1911 the Charity Commissioners for England and Wales vested the land in the Official Trustee of Charity Lands, whose successor is now the Official Custodian for Charities by virtue of section 48(6) of the Charities Act 1960.

On this evidence I am satisfied that the Official Custodian for Charities 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 3(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

22nd

day of

March

1984

Chief Commons Commissioner