



In the Matter of Beech Hill Recreation Ground,
Beech Hill, Berkshire.

DECISION

This reference relates to the question of the ownership of land known as Beech Hill Recreation Ground, Beech Hill, being the land comprised in the Land Section of Register Unit No VG 65 in the Register of Town or Village Greens maintained by the Berkshire 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 no person claimed to be the freehold owner of the land in question, but Mr N D Sorrill, Clerk of the Beech Hill Allotments Charity, 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 Newbury on 31 January 1978.

At the hearing Mr Sorrill appeared on behalf of the Beech Hill Allotments Charity.

The land in question was allotted and awarded by the Beech Hill Enclosure Award, dated 22 March 1866, to the Churchwardens and Overseers of the Poor of the Tithing of Beech Hill to be held by them and their successors in trust as a place for exercise and recreation for the inhabitants of the Tithing and neighbourhood.

The land became regulated by a scheme set out in the schedule to an Order of the Charity Commissioners of 10 September 1868 and became vested in the Official Custodian for Charities by virtue of the scheme as affected by 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 Berkshire 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 20th day of February 1978


CHIEF COMMONS COMMISSIONER