



In the Matter of The Recreation Allotment,  
Berrick Salome, Oxfordshire

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DECISION

This reference relates to the question of the ownership of land known as The Recreation Allotment, Berrick Salome, being the land comprised in the Land Section of Register Unit No. VG 107 in the Register of Town or Village Greens maintained by the (former) Oxfordshire 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 Berrick Salome Parish Meeting 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 Oxford on 19 July 1978.

At the hearing the Parish Meeting was represented by Mr J R B Clayton, its chairman.

The land the subject of the reference was set out, allotted and awarded by the Bensington and Berrick Salome Inclosure Award made on 21 January 1863 under the Acts for the Inclosure, Exchange and Improvement of Lands to the Churchwardens and Overseers of the Poor of the parish of Berrick Salome, to be held in trust as a place for exercise and recreation for the inhabitants of the parish and neighbourhood.

The parish of Berrick Salome did not have a parish council when the Local Government Act 1894 came into force, so the land in question remained vested in the Churchwardens and Overseers until it was transferred to the Representative Body of the parish by virtue of articles 4(2), 6(1), and 7(2) of the Overseers Order 1927 (S.R. and O. 1927, No 55). The property of the Representative Body was transferred to the Parish Trustees by Part II of Schedule 4 to the Local Government (England) (Property etc) Order 1973 (S.J. 1973, No 186).

On this evidence I am satisfied that the Parish Trustees of the Parish of Berrick Salome are the owners of the land, and I shall accordingly direct the Oxfordshire County Council, as registration authority, to register them as the owners 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

14<sup>th</sup>

day of

November

1978

  
Chief Commons Commissioner