



COMMONS REGISTRATION ACT 1965

Reference No.32/U/14

In the Matter of The Market Place,  
Ilchester, Somerset.

DECISION

This reference relates to the question of the ownership of land known as The Market Place, Ilchester, being the land comprised in the Land Section of Register Unit No.V.G.55 in the Register of Town or Village Greens maintained by the Somerset 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 and 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 Taunton on 3rd November 1972.

At the hearing Mr. R.A. Clapp, solicitor, appeared for the Ilchester Town Trust. I was furnished with an affidavit made by an officer of the Charity Commissioners, to which is exhibited a scheme for the property of the dissolved Corporation of the Bailiff and Burgesses of Ilchester sealed on 13th September 1889 by the Board of Charity Commissioners for England and Wales. By this scheme the land in question was vested in the Official Trustee of Charity Lands. By the operation of section 48(6) of the Charities Act 1960 the land is now vested in the Official Custodian for Charities.

For these reasons I am satisfied that the Official Custodian for Charities is the owner of the land, and I shall accordingly direct the Somerset 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 17<sup>th</sup> day of November 1972

  
Chief Commons Commissioner