



COMMONS REGISTRATION ACT 1965

Reference N. 2/U/85

In the Matter of Bushnells Green
Bucklebury and Stanford Dingley
Newbury D.

DECISION

This reference relates to the question of the ownership of land known as Bushnells Green, Bucklebury and Stanford Dingley Newbury D being the land comprised in the Land Section of Register Unit No. CL.26 in the Register of Common Land 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 Mr Hartley Russell 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 Newbury on 16 May 1978. Mr Russell appeared in person and produced a Deed of Partition dated 11 June 1906 made between Elizabeth Anne Hartley De Palatiano and Nina Katherine Webley Parry and others which referred to the "Manor of Bucklebury in the County of Berks with the appurtenances including Bucklebury Common and other Waste Land of the said Manor coloured light blue on the Plan No. 1.

The said land coloured light blue included the land in question.

Consequent on the death of his father in 1959 by an assent dated 30th December 1960 the Manor of Bucklebury including the land in question was vested in Mr Russell. Mr Russell told me that he did not appreciate that the land in question had been registered as a separate unit and not as part of unit No. CL.28 (Bucklebury Common) on the Register of which Mr Russell's undisputed Entry in the ownership section is final.

On this evidence I am satisfied that Mr Hartley Russell is the owner of the land, and I shall accordingly direct the Berkshire County Council, as registration authority, to register Mr Hartley Russell as the owner of the land under section 8 (2) of the Act 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

21

day of July

1978

G. A. Settle

Commons Commissioner