



COMMONS REGISTRATION ACT 1965

Reference No 3/U/2

In the Matter of Lent Green, Burnham  
Eton R.D., Buckinghamshire

DECISION

This reference relates to the question of the ownership of land known as Lent Green, Burnham, Eton Rural District, being the land comprised in the Land Section of Register Unit No CL.93 in the Register of Common Land maintained by the Buckinghamshire County Council of which no person is registered under section 4 of the 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 no 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 High Wycombe on 14 February 1973. The hearing was attended by the Burnham Parish Council who were represented by their clerk Mr J H Brown.

Mr H A Hancock who is and has been for the last 23 years living at No 3 Lent Green, in his evidence said: the land is grass land, always known as "Lent Green"; the grass had been cut regularly and the roads kept tidy ever since he had known it. Mr Brown who has been the clerk of the Parish Council since 1966, in his evidence said: the land is triangular in shape and contains about 0.12 acre; it is bounded on the west by the carriage way of a major road (Lent Rise Road) and bounded on the north and south-east by the carriage way of roads which join and lead to a cul-de-sac; the Parish Council wish if they can to determine the boundaries of the land by curbing and railings, to put public seats on the area and to do other improvements; as to ownership, he could only say that the Parish Council had no evidence; the minute books which went back to 1894 contained no relevant mention of this land; the maintenance described by Mr Hancock had been paid for by the County Council.

I have under the Act of 1965 no power to direct that the Parish Council be registered as owner of the land merely because this would be advantageous to those living nearby or would be otherwise expedient. Under the Act, upon this reference under section 8, I am to state whether I am satisfied that any person is the owner, meaning the owner of the legal estate in fee simple, see section 22(2). On the evidence given to me as outlined above, I am not satisfied that any person is the owner of the land and it will therefore be subject to protection under section 9 of the Act.

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

27<sup>th</sup>

day of February 1973

A. A. Baden Fuller