



In the Matter of a Pond at corner of Bottom Alley
and Earl Hare Road, Little Missenden, Bucks

DECISION

This reference relates to the question of the ownership of the land described above ("the Unit Land") being the land comprised in the Land Section of Register Unit No CL 232 in the Register of Common Land maintained by the Bucks 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 Little Missenden Parish Council claimed to be the freehold owner of the Unit land 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 Aylesbury on 20 February 1979.

Mr L Peacock Clerk to the Parish Council, which claims ownership, appeared on its behalf, and Mr Durrant of the County Council staff was present

The Unit land was an Inclosure award of 1855 appointed as a public pond but not allotted. The Parish Council has maintained it for many years and the Payment and Receipts book records expenditure since 1956 including a payment of £255 in 1968. Land abutting on the Unit land to the east and south-east was acquired by the Parish Council in 1968 and 1972 as an amenity area for the Parish.

On this evidence I am satisfied that the Parish Council is the owner of the land, and I shall accordingly direct the Bucks County Council, as registration authority, to register the Parish Council 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 28th day of March 1979
L. J. Wroams Smith
Commons Commissioner