



In the Matter of a recreation
ground in Great Horwood,
Aylesbury Vale District,
Buckinghamshire

DECISION

This reference relates to the question of the ownership of land containing about 5.03 acres being a recreation ground in Great Horwood, Aylesbury Vale District and being the land comprised in the Land Section of Register Unit No. VG 93 in the Register of Town or Village Greens maintained by the Buckinghamshire 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 Great Horwood Parish Council claimed (letter of 31 August 1977) ownership. No other person claimed to be the freehold owner of the land in question or to have information as to its ownership.

I held a hearing for the purpose of inquiry into the question of the ownership of the land at Aylesbury on 19 June 1979. At the hearing Great Horwood Parish Council were represented by Mr W J Hanson their chairman and by Mrs M A Macdonald their clerk; and Buckinghamshire County Council as registration authority, were represented by Mr C D Durrant of their County Secretary and Solicitor's Department.

Mr Durrant produced from the County Archives the Great Horwood Inclosure Award dated 30 November 1842 and made under the Great Horwood Inclosure Act 1841 (4 & 5 Vict. c.22). By it plot No. 98 on the map was allotted to the Churchwardens and Overseers of the Parish of Great Horwood for the purposes of exercise and recreation of the neighbourhood.

Mr Hanson who has lived in the Parish for 59 years (all his life) been a member of the Parish Council for about 20 years and the chairman for about 15 years, identified the plot so allotted (Mr Durrant produced the map) with the land in this Register Unit. He said (in effect):- The land is north of the Village, by (and south of) the Buckingham Bletchley road (B4034), where the road from the Village joins such road. It is a sports field with a cricket ground and pavilion. As he first knew it it sloped down to the west (the east is higher) and only the pitch was level; in 1963 the Parish Council arranged for it to be levelled as it now is, and paid the cost (about £400-£500 so he thought). The Parish Council controls the ground.

On the evidence summarised above I am satisfied that the Parish Council as successors of the Churchwardens and Overseers are the owners of the land, and I shall accordingly direct the Buckingham County Council, as registration authority, to register Great Horwood Parish Council 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 13th ———

day of July ——— 1979

A. A. Baden Fuller

Commons Commissioner