



COMMONS REGISTRATION ACT 1965

Reference Nos 203/D/25
203/D/26
203/D/27

In the Matter of Farm Wood, Wash Hill Wood, The Strawberry Field and the Furzeland from Berghers Hill to the boundary fence of Farm Wood, all in Wooburn, Wycombe District, Buckinghamshire

DECISION

These disputes relate to the registration at Entry No 1 in the Land Section of Register Unit No CL. 264 in the Register of Common Land maintained by the Buckinghamshire County Council and are occasioned by Objection No 75 made by Mr Frank Adams, Objection No 104 made by Mr Stephen Pitcher and Objection No 101 made by Minister of Agriculture, Fisheries & Food and noted in the Register on 21 October 1970, 8 March 1972 and 13 March 1972.

I held a hearing for the purpose of inquiring into the dispute at Aylesbury on 9 March 1978. At the hearing (1) Wooburn Parish Council on whose application the registration was made, were represented by Mr R Dukes solicitor of Allen Janes & Co, Solicitors of High Wycombe, (2) Mr George James Pitcher and Mrs Gladys Margaret Pitcher as executors of Mr Stephen Pitcher were represented by Mr T Clarke solicitor of Clarke & Co Solicitors of High Wycombe, and (3) the Minister of Agriculture, Fisheries & Food was represented by Mr C E C Woolley solicitor of his Legal Department.

Reynolds, Parry-Jones & Crawford, Solicitors of High Wycombe in a letter dated 8 March 1977 on behalf of Mr Adams applied for him to be represented at the hearing by his successors namely the personal representatives of the late Mr S Pitcher who are represented by Messrs Clarke & Son.

The land ("the Unit Land") comprised in this Register Unit contains according to the Register about 57.06 acres. The grounds of Objection No 75 (Mr Adams) and of Objection No 101 (the Minister) are (in effect) that a little more than half (the northeast part including Farm Wood) of the Unit Land is not common land; the grounds of Objection No 104 (Mr Pitcher) are (in effect) that the remainder of the Unit Land is not common land.

Mr Clarke said that Mr Adams sold the land mentioned in his Objection to Mr Pitcher. Mr Dukes said that certain documents had been shown to him on the day of the hearing, which made it clear that the Parish Council would have difficulty in establishing that the Unit Land is common land, and accordingly the claim was withdrawn.

In these circumstances I refuse to confirm the registration.



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 Nov — 1978

a. a. Baden Fuller

Commons Commissioner