



COMMONS REGISTRATION ACT 1965

Reference No.3/U/36

In the Matter of Handleton Common,
Fingest and Lane End, Wycombe R.D.,
Buckinghamshire

DECISION

This reference relates to the question of the ownership of part of the land known as Handleton Common, Fingest and Lane End, Wycombe Rural District being the land comprised in the Land Section of Register Unit No.CL.79 in the Register of Common Land maintained by the Buckinghamshire County Council. The said part ("the referred part") is that part of the said land other than that which lies to the north and east of the old parish boundary between the parishes of West Wycombe and Great Marlow as shown on the Ordnance Survey Map (1921 edition) and the Register map. No person is registered under section 4 of the Commons Registration Act 1965 as the owner of the referred part.

Following upon the public notice of this reference no person claimed to be the freehold owner of the referred part 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 Aylesbury on 27 November 1973. At the hearing Fingest and Lane End Parish Council were represented by Wing Commander H. Clark, their vice-chairman.

The land comprised in this Register Unit contains (according to the Register) 10.63 acres. Wing Commander Clark said that the referred part comprises two narrow strips of land which provide access from the main road through the Village to the main part of Handleton Common (a large open space to the north of the Village); of these two strips, that on the southeast is a made up public footpath which has been registered as such. A letter dated 13th December 1972 sent by the Parish Council to the Clerk of the Commons Commissioners stating that it was possible to provide evidence that the Parish Council had over a number of years carried out maintenance and other work over this piece of land had been mistakenly headed "CL.79"; it was intended to refer to CL.81. The Parish Council could offer no evidence of ownership of the said two strips.

In the absence of any evidence I am not satisfied that any person is the owner of the referred part and it will therefore be subject to protection under section 9 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 14th day of December 1973.
a. a. Baden Fuller

Commons Commissioner