



In the Matter of Horse Pond, Bledlow Ridge,
Bledlow-cum-Saunderton, Buckinghamshire.

DECISION

This reference relates to the question of the ownership of land known as Horse Pond, Bledlow Ridge, Bledlow-cum-Saunderton being the land comprised in the Land Section of Register Unit No. CL 124 in the Register of Common Land 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 the Bledlow-cum-Saunderton Parish Council claimed to be the freehold owner of the land in question 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 28 June 1978.

At the hearing the Parish Council was represented by its Clerk, Mr J A Gibson.

The land in question was allotted by the Inclosure Award dated 14 August 1812 made under the Bledlow Inclosure Act of 1809 (49 Geo. III, c.cv).

Mr Gibson argued that the Parish Council was the owner of the land as successor authority under the Award. The Award, however, did not allot the land to anybody, but only gave to the public a right to use as a watering place. In the absence of specific words allotting the land to some person or authority, it would remain vested in the previous owner, presumably the lord of the manor.

Mr Gibson gave evidence that the Parish Council had taken possession of the pond, but since his knowledge only goes back for seven years, I am unable to hold that the Parish Council has acquired a possessory title by adverse possession.

On the available evidence I am not satisfied that any person is the owner of the land, and it will therefore remain 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

21st

day of

July

1978

CHIEF COMMONS COMMISSIONER