



COMMONS REGISTRATION ACT 1965

Reference Nos 203/D/75 to 80 inclusive

In the Matter of Huntswood and Hitcham  
Ride, Taplow, Beaconsfield District,  
Buckinghamshire

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DECISION

These disputes relate to the registrations at Entry No 1 in the Land Section of Register Unit No CL. 298 in the Register of Common Land maintained by the Buckinghamshire County Council and at Entry No 1 in the Land Section of Register Unit No VG. 51 in the Register of Town or Village Greens maintained by the said Council and are occasioned by Objection No 102 made by the Minister of Agriculture, Fisheries & Food and noted in both Registers on 13 March 1972 and by Objection Nos 116 and 117 and made by Mr Frank Thomas Sear and noted in the respective Registers on 26 July 1972 and by the two registrations being in conflict.

I held a hearing for the purpose of inquiring into the disputes at Aylesbury on 8 March 1978. At the hearing (1) the Minister was represented by Mr I Corbett, barrister at law of his Legal Department, (2) Mr F T Sear attended in person, (3) Taplow Parish Council (the VG. 51 registration was made on their application) were represented by Mr T Balfe their clerk, and (4) Buckinghamshire County Council as registration authority (the CL. 298 registration was made by them without application) were represented by Mr C D Durrant, senior administrative officer in the County Secretary and Solicitor's Department.

The land ("the Unit Land") comprised in the CL. 298 registration is the same as that comprised in the VG. 51 registration. It contains (according to the Register) 77.64 acres and is "U" shaped, the bend of the U being to the north. Objection No 102 (the Minister "per Forestry Commission") is to all the Unit Land except the part to which the other Objections relate and except also a small part at the south end of the east part of the U. Objection Nos 116 and 117 (Mr Sear) are to a small part of the Unit Land, being part of OS Nos 123a and 123b, on the east side of the western part of the U.

Mr Balfe said that the Parish Council when applying for the VG. 51 registration were primarily concerned with access; of this they were now satisfied, and did not therefore want to pursue this registration.

Mr Durrant said that the CL. 298 registration was made in consequence of the VG. 51 registration with a view to keeping open a possible claim that the land was common land (if ultimately it was found not to be a town or village green); however the County Council did not offer any evidence.

After some discussion, Mr Balfe and Mr Durrant agreed with Mr Corbett and Mr Sear that it was not necessary for them to call any evidence and that I could properly conclude that the part of the Unit Land to which their Objections related were



not properly registered. Mr Balfe and Mr Durrant also agreed that no useful purpose would be served by the south part of the Unit Land, to which none of the Objections related, remaining on the Register.

In these circumstances I refuse to confirm either the CL. 298 registration or the VG. 51 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 13<sup>th</sup> day of March — 1978

a. a. Boden Fells

Commons Commissioner