



COMMONS REGISTRATION ACT 1965

Reference Nos 203/D/29
203/D/30

In the Matter of Ibstone Common,
Ibstone, Wycombe District,
Buckinghamshire

DECISION

These disputes relate to the registrations at Entry No 1 in the Land Section of Register Unit No VG. 60 in the Register of Town or Village Greens maintained by the Buckinghamshire County Council and at Entry No 1 in the Land Section of Register Unit No CL. 87 in the Register of Common Land maintained by the said Council, and are occasioned by the registrations being in conflict.

I held a hearing for the purpose of inquiring into the disputes at Aylesbury on 9 March 1978. At the hearing Ibstone Parish Council, on whose application the VG. 60 registration was made, were represented by Mr H M Bayley their clerk, and the Warden and Scholars of the House or College of Scholars of Merton in the University of Oxford, on whose application the CL. 87 registration was made, were represented by Mr R B C Hodgson their bursar.

The land ("the CL. 87 Land") comprised in the CL. 87 registration contains (according to the Register) about 45.51 acres, and is known as Ibstone Common. The land ("the VG. 60 Land") comprised in the VG. 60 registration contains (according to the Register) about 3.89 acres and is at the east (or southeast) corner of the CL. 87 Land. In the Ownership Section of the CL. 87 Register Unit, the College are registered as the owners of all the CL. 87 Land.

Mr Hodgson handed me a statement about the CL. 87 Land. The College had been Lord of the Manor since 1270 (he produced a copy of the grant and a translation of it); they have held manorial courts up to the 1920's. In 1942 22 acres of the Common were requisitioned, and farmed by the War Agricultural Committee until 1956; since then, the same 22 acres have been let as arable land to a local farmer by agreement with the Parish Council who receive half the rent (distributed amongst village organisations). For a great number of years Ibstone Cricket Club has occupied the southeast corner of the Common, and the College is a subscribing member of this Club; this land is on occasions also used for other village activities. The College have no objection to the area at the southeast corner (the VG Land) being registered as a town or village green.

Mr Bayley said that he was sure that the Parish Council would much appreciate the College's gesture in allowing Mr Hodgson to say on their behalf that they had no such objection.

In these circumstances, with the agreement of Mr Hodgson and Mr Bayley, I confirm the VG. 60 registration without any modification and I confirm the CL. 87 registration with the modification that the land comprised in the VG registration



be removed from the Register. There was some discussion about the Ownership Section registration; ~~and~~ this being undisputed I need not say (and indeed I have no jurisdiction to say) anything about it.

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 March —

1978

a a. Baden Fuller

Commons Commissioner