



In the Matter of land around
St Peter and St Paul's Church,
Buckingham Town, Aylesbury Vale
District, Buckinghamshire

DECISION

This reference relates to the question of the ownership of land containing about 1.03 acres almost surrounding St Peter and St Paul's Church, Buckingham Town, Aylesbury Vale District being the land comprised in the Land Section of Register Unit No. VG 91 in the Register of Town or Village Greens 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 no person claimed to be the freehold owner of the land in question 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 19 June 1979. At the hearing Buckinghamshire County Council as registration authority, were represented by Mr C D Durrant of their County Secretary and Solicitor's Department.

Mr Durrant said (in effect):- The County Council has no information about ownership. He understood from the Town Clerk that all the documents of the Buckingham Borough Council had originally been taken over by the District Council, but that those which might relate to matters which concerned the Town Council as successors of the Borough Council had been handed to them, and that of these documents it seemed likely that none would help about ownership.

If I am not satisfied as to the ownership of the Town Council, I am by subsection (3) of section 8 of the 1965 Act required to direct their registration as owners. So any detailed investigation into the documents formerly held by the Borough Council for the purpose of discovering whether any of them indicated the ownership of this land might be a waste of time and money if no-one at this hearing claimed ownership. There was no such claim.

In the absence of any evidence I am not satisfied that any person is the owner of the land, and I shall accordingly direct the Buckinghamshire County Council, as registration authority, to register Buckingham Town Council as the owner of the land under section 8(3) 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 13th — day of July — 1979

a. a. Baden Fuller

Commons Commissioner