



In the Matter of Land at Penn Street, Penn,
Buckinghamshire

DECISION

This reference relates to the question of the ownership of land at Penn Street, Penn, being the part of the land comprised in the Land Section of Register Unit No CL 268 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 Earl Howe and Equity Developments Ltd claimed to be the freehold owners 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 27 June 1978.

At the hearing Equity Developments Ltd was represented by Mr A Niblock, solicitor. There was no appearance by or on behalf of Lord Howe, but in a letter dated 23 June 1978 his solicitors stated that he did not wish to pursue his claim.

The land the subject of the reference was conveyed to Equity Developments Ltd by a conveyance made 27 September 1971 between (1) Lortay Properties Investments Ltd (2) Equity Developments Ltd. Lortay Properties Investments Ltd had a good root of title in a conveyance made 29 September 1946 between (1) Francis Richard Henry Penn, 5th Earl Howe (2) Henry Gosselin Trower, George Edward Wentworth, Lord Denham, and John Anthony Tristram Barstow (3) Amersham Rural District Council.

On this evidence I am satisfied that Equity Developments Ltd is the owner of the land, and I shall accordingly direct the Buckinghamshire County Council, as registration authority, to register that company as the owner of the land under section 8(2) 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

6th

day of

July

1978

CHIEF COMMONS COMMISSIONER