



COMMONS REGISTRATION ACT 1965

Reference No. 203/U/115

In the Matter of Land at Rushmoor Corner,
Penn, Bucks

DECISION

This reference relates to the question of the ownership of the land described above being the land comprised in the Land Section of Register Unit No CL 206 in the Register of Common Land maintained by the Bucks 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 Bucks County Council and Earl Howe, each 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 24 February 1979.

At the hearing Mr L Durrant, of the staff of the County Council, appeared on its behalf and Earl Howe was represented by Mr Maitland, a partner in the firm of Trower, Still and Keeling, Solicitors.

Under a Scheme made by the Charity Commissioners on 15 January 1974 the land was vested in the Penn Parish Council as trustees, and they were empowered to sell the land to the County Council of Buckingham, subject to certain conditions. By a Conveyance dated 27 September 1974 the Parish Council conveyed the land to the County Council by way of sale and in conformity with the conditions.

Mr Maitland stated that Earl Howe did not now claim ownership.

On this evidence I am satisfied that the County Council is the owner of the land, and I shall accordingly direct it as registration authority, to register itself 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

29th

day of

March

1979

Commons Commissioner