



COMMONS REGISTRATION ACT 1965

Reference No 3/U/25

In the Matter of land in front of  
Davenies Barn, Beaconsfield U.D.  
Buckinghamshire

DECISION

This reference relates to the question of the ownership of land in front of Davenies Barn, Beaconsfield Urban District, being the land comprised in the Land Section of Register Unit No CL.38 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 Beaconsfield Urban District Council 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 High Wycombe on 16 February 1973. The hearing was attended by Beaconsfield Urban District Council ("the Council") who were represented by Mr L R Peacock who is their deputy clerk.

Mr Peacock produced a conveyance dated 10 January 1936 by which there was conveyed to the Council "ALL that the interest of the Lord of the Manor of Beaconsfield of and in ALL those two pieces of land containing together two roods and twenty five perches or thereabouts fronting on the road leading from Beaconsfield to Penn and being a portion of the waste lands of the Manor Beaconsfield and delineated on the plan drawn hereon...". Mr Peacock who had worked for the Council since 1966 in his evidence said: "The conveyance is in the possession of the Council. The land is grass or park land, with some public seats and a number of trees. The Council are interested in it as an amenity strip. On the north-east it is bounded by the land of Davenies School; on the south east it is bounded by Station Road which connects the Old Town with the New Town. On the other side of the road there is an Old Persons Home owned by the Council and some dwelling houses. He identified the land comprised in this Register Unit with that delineated on the plan drawn on the said conveyance.

On the evidence outlined above I am satisfied that the Council are the owners of the land, and I shall accordingly direct the Buckinghamshire County Council as registration authority, to register Beaconsfield Urban District Council as the owners 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 5/2 day of March 1973

*A. A. Baden Fuller*

Commons Commissioner