



COMMONS REGISTRATION ACT 1965

Reference No. 203/U/163

In the Matter of land known as part of Wooburn  
Common, Wooburn

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DECISION

This reference relates to the question of the ownership of land known as part of Wooburn Common, Wooburn being part of the land comprised in the Land Section of Register Unit No. CL 265 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 Hall Barn Estates Limited 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 4 February 1982.

Councillor G Dunn (a member) appeared on behalf of Wooburn Parish Council and Mr J M Williams appeared on behalf of Hall Barn Estates Limited.

A search revealed that the whole of the land comprised in the registered unit was the subject of titles registered at the Land Registry apart from a small triangle coloured yellow at the extreme northern tip.

Mr Williams said that his client had formerly owned the whole of the land comprised in the register unit and he believed that the yellow triangle had been dedicated as part of the highway in 1937 but that no conveyance had been executed.

No one else made any claim to ownership and Mr Williams had<sup>s</sup> since confirmed what he said at the hearing and has produced a copy of the Deed of Dedication in favour of Buckinghamshire County Council executed by his client on 18 February 1937. This includes a covenant to convey the freehold when called upon to do so and this covenant was registered in the Land Charges Registry as a Land Charge Class C (iv) on 25 February 1937.

Although land which is part of the highway is excluded from the statutory definition of common land (see Section 22(1)) this point was not taken at the hearing which resulted in the registration in the Land Section being confirmed.

On this evidence I am satisfied that Hall Barn Estates Limited is the owner of the land, and I shall accordingly direct the Buckinghamshire County Council, as registration authority, to register Hall Barn Estates Limited as the owner of the land under section 8(2) of the Act of 1965.



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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 12<sup>th</sup> day of March 1982

*George H. H. H.*

Commons Commissioner