



In the Matter of Littleworth Common,
Burnham, Bucks

DECISION

This reference relates to the question of the ownership of parts of the land known as Littleworth Common which is comprised in the Land Section of Register Unit No. CL 183 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 the Dropmore Parish Hall Committee claimed to be the freehold owner of part 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 22 February 1979.

The hearing was attended by Mr T F Rayner, the Secretary of the Dropmore Parish Hall Committee ("the Committee").

Of the land, Littleworth Common, comprised in the Register Unit ("the Unit Land") there are two small areas in regard to which the question of ownership arises, one ("the N.E. area") north east of the line A B on the register map and the other ("the N.W. area") lying north west and north of the C D E F G on that map. The claim by the Committee is to a part of the N.W. area, this part being the strip of land to the north west of Dropmore Church adjoining Field O.S. No. 132 B: on this strip stands the Parish Hall.

The Parish Hall was conveyed to a Miss Aird by a Conveyance dated 16 January 1928 and by a Trust Deed dated 22 March 1928 she declared a trust of the property for the benefit of the parishioners. On the 27 October 1976 a Scheme was made by the Charity Commissioners for the regulation of the Charity constituted by the declaration of trust, and under the Scheme the Charity and its property is administered and managed by a Committee of management and there was vested in the Official Custodian for Charities' the property specified in the Schedule viz "the land situate at Dropmore with the building thereon or on part thereof known as Dropmore Parish Hall and being the land comprised in the above-mentioned declaration of trust". There was no other evidence as to ownership of the strip of land claimed by the Committee.

I am satisfied that the Official Custodian is the owner of the Parish Hall and its site and I shall direct the Bucks County Council as registration authority to register the Official Custodian as owner under S.8(2) of the Act of 1965. As to the N.E. area and the remainder of the strip and of the N.W. area, I am not satisfied that any person is the owner of the land, and it will therefore remain subject to protection under section 9 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

21st August

1979

L. J. Morris Smith
Commons Commissioner