



In the Matter of Nash Village Green,  
Nash, Aylesbury Vale District,  
Buckinghamshire

DECISION

This reference relates to the question of the ownership of land containing about 0.35 of an acre known as Nash Village Green, Nash, Aylesbury Vale District being the land comprised in the Land Section of Register Unit No. VG 85 in the Register of Town or Village Greens 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 Nash Parish Council claimed (letter of 22 September 1977 from their Solicitors) ownership. No other person claimed to be the freehold owner of the land in question or 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 19 June 1979. At the hearing Buckinghamshire County Council as registration authority were represented by Mr C D Durrant of their County Secretary and Solicitor's Department. I had a letter dated 12 June 1979, in which the Nash Parish Council (by their solicitors) said that they believed that the owner of the village green and the pond cannot be traced and unless someone shows a good title they would like the land to be awarded to it to be held for the purposes of the parish.

Mr Durrant produced from the County Archives the Whaddon and Nash Inclosure Award dated 30 December 1831. This Award was made under the Whaddon (including Nash) Inclosure Act 1830 (11 Geo. 4 & 1 Will. 4 c.10); the map attached to the Award showed one of these four pieces which together make up this Register Unit (being the most easterly and on the Register map marked as containing .189 acres) as a pond (perhaps not so large as now) on the east side of the road from Great Harwood through Nash to Stony Stratford, and shows the three other pieces (not distinct) as part of a much larger area and on the map uncoloured, called "Whaddon Chase". Mr Durrant said that the County Council could offer no (other) evidence of ownership.

The Award map seems to indicate that the land now in question was not inclosed under the 1830 Act or dealt with in any way by the Award. In the absence of any evidence I am not satisfied that any person is the owner of the land, and I shall accordingly direct the Buckinghamshire County Council, as registration authority, to register Nash Parish Council as the owner of the land under section 8(3) 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 13<sup>th</sup> —

day of July — 1979

*A. A. Baden Fuller*

Commons Commissioner