



COMMONS REGISTRATION ACT, 1965

Reference No. 203/U/9

In the Matter of part of Downley Common,
West Wycombe Rural

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 116 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 Mr E J Smith claimed to be the freehold owner of the land in question ("the Unit land") 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 2 October 1980.

At the hearing Mr R S Bell of the firm of Reynolds, Parry-Jones and Crawford, Solicitors, appeared on behalf of the Claimant. By a Conveyance dated 30 March 1922 between (1) Sir John Dashwood, (2) James West, the Unit land was conveyed to James West. Following the latter's death in 1960, his Executors by a Conveyance dated 5 December 1963 conveyed the Unit land to Mrs Beatrice M Smith, who by a Deed of Gift dated 1 July 1968 conveyed it to her son Edgar John Smith.

On this evidence I am satisfied that the Claimant is the owner of the Unit land, and I shall accordingly direct the Bucks County Council, as registration authority, to register Edgar John Smith 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 22 October 1980

H. J. Morris Smith

Commons Commissioner