



COMMONS REGISTRATION ACT 1965

Reference No. 203/U/83

In the Matter of Recreation Ground, The Lee,
Amersham, Bucks

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 VG 94 in the Register of Town or Village Greens 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 A I Stewart-Liberty 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 20 February 1979.

At the hearing Mr R Fulton of the firm of Blaser, Mills and Lewis, Solicitors, appeared on behalf of Mr Stewart-Liberty ("the Claimant") and no one else appeared. The land in question ("the Unit land") was with other land settled under the Will of Sir A L Liberty who died in 1917: and there were (1) a Vesting Deed of 27 January 1926 declaring the settled land to be vested in the then tenant for life; (2) a Vesting Assent of 12 April 1960 made, following the death of that tenant for life, in favour of the Claimant and (3) a Deed of Discharge of the Settled Land Act trustees made pursuant to Section 17 of the Settled Land Act 1925 on 12 December 1978. I also saw an examined abstract of the Claimant's title and a Statutory Declaration made by Mr H F Hobbs on 19 February 1979 as to the continued occupation of the Unit Land by the Claimant and his predecessors in title for over 50 years.

On this evidence I am satisfied that the Claimant is the owner of the land, and I shall accordingly direct the Bucks County Council, as registration authority, to register the Claimant 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 this 29th day of March 1979
L. J. Morris Smith
Commons Commissioner