



COMMONS REGISTRATION ACT 1965

Reference No. 3/U/19

In the Matter of Terriers Green,
High Wycombe, Buckinghamshire

DECISION

This reference relates to the question of the ownership of land known as Terriers Green, High Wycombe Borough, Buckinghamshire being the land comprised in the Land Section of Register Unit No. CL.3 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 High Wycombe Borough Council claimed to be the freehold owner of the land in question and Colonel R. J. Walker wrote that he had a right of way over it to the road from his house; 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 27 November 1973. At the hearing Mayor Aldermen and Burgesses of the Borough of High Wycombe were represented by Mr. G. V. Lloyd, the Assistant Town Clerk.

Mr. Lloyd who has been the Assistant Town Clerk for the last 5½ years, in the course of his evidence produced a conveyance dated 28 November 1929 and made between (i) the Ecclesiastical Commissioners for England, as Lords of the Manor of Bassetsbury (ii) the Parish Council of Chepping Wycombe and (iii) the Mayor Aldermen and Burgesses of the Borough of Chepping Wycombe ("The Corporation"). By it, after reciting that the Commissioners as Lords of the said Manor were owners of the soil and freehold in the waste lands in the ancient parish of Chepping Wycombe coloured on the plans annexed and situate at Terriers Green and at another place in the conveyance specified, it was witnessed (among other things) that the Commissioners conveyed the said waste lands to the Corporation in fee simple "to the intent that the said waste lands shall be dedicated to the public by the Corporation as open spaces and for the purpose of being used as public walks or pleasure grounds under section 164 of the Public Health Act 1875".

Mr. Lloyd identified the land comprised in this Register Unit with the land at Terriers Green delineated on the plan annexed to the said conveyance. It is now open grass land used for recreation purposes. Chipping Wycombe was altered to High Wycombe by section 5 of the High Wycombe Corporation Act 1946 (9 & 6 Geo. 6. cap. 1). The Corporation are in possession and look after the land.

On the evidence outlined above, I am satisfied that the Corporation is the owner of the land, and I shall accordingly direct the Buckinghamshire County Council, as registration authority, to register the Mayor Aldermen and Burgesses of the Borough of High Wycombe as the owners 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

5/15

day of December

1973.

a. a. Brian Fuller

Commons Commissioner