



COMMONS REGISTRATION ACT 1965

Reference Nos 3/D/34
3/D/35

In the Matter of The Cross Roads
Green (including How's Pond),
Cublington, Aylesbury Vale District,
Buckinghamshire

DECISION

These disputes relate to the registrations at Entry No 1 in the Land Sections of Register Unit (1) No VG. 38 and (2) No CL. 103 in the Register of (1) Town or Village Greens and (2) Common Land maintained by the Buckinghamshire County Council and is occasioned by these registrations being in conflict.

I held a hearing for the purpose of inquiring into the disputes at Aylesbury on 23 June 1976. The hearing was not attended by any person entitled to be heard.

The land comprised in these Register Units contains according to the Register O.19 of an acre. Both registrations were made on the application of Cublington Parish Council. After the hearing I inspected the land. It is approximately rectangular situated at a cross roads at the east end of High Street: on the corner between Wing Road and Stewkley Road. The east part is grass land open to these roads with a guide post. From it the west part is separated by a hedge, through which there is a gate: this part is almost wholly pond, surrounded by hedges and not easily accessible except through the gate.

Under the 1965 Act, I can refuse to confirm both registrations or I can confirm one (but not both) of them. It is possible that on this land (bearing in mind its situation in relation to other open land in the vicinity) the inhabitants of the locality have a customary right to indulge in sports and pastimes and that it is therefore within the definition of a town or village green contained in section 22 of the Act. In the absence of evidence, I consider I should confirm the Village Green registration because of the two courses open to me, this seems to be the one most likely to benefit the locality.

For these reasons I refuse to confirm the said registration in the Register of Common Land and I confirm the said registration in the Register of Town or Village Greens without any modification.

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 30th day of June _____

1976

a. a. Baden Fuller

Commons Commissioner