



In the Matter of the part of Ditchfield Common,  
Fingest and Lane End, adjoining the southern side  
of the Marlow-Stokenchurch Road

DECISION

This reference relates to the question of the ownership of the part of the land described above being the land comprised in the Land Section of Register Unit No. CL 48 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 a claim to ownership of the land in question ("the Unit land") was made on behalf of Lane End Village Hall Management Committee ("the Committee"). 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 the Treasurer of the Committee, Mr H Clark, appeared. The Unit land is a part of the whole area of CL 48, and is the part which lies within the line ABCD on the register ~~map~~ plan.

By an Indenture dated 16 October 1909, Sir William Robert Clayton conveyed the Unit land under the Literary and Scientific Institutions Act 1854 to certain persons as trustees ~~as~~ a site for the building of a public library and reading rooms. By a conveyance dated the 27 February 1946 the then Baronet and tenant for life Sir Harold Dudley Phillip Clayton conveyed the Unit land under Section 55 of the Settled Land Act to three trustees to be held for the purposes of a village hall under the management and control of a Committee of Management.

The existence of the two conveyances both dealing with the Unit land was not explained: it may be that after the 1909 Indenture the property reverted to the Grantor and that fresh grant was made by his successor for the different purpose of a village hall. However, this may be, in January 1970 a Scheme was approved by order of the Charity Commissioners, and this included a provision vesting the Unit land in the Official Custodian for Charities.

On this evidence I am satisfied that the Official Custodian is the owner of the land, and I shall accordingly direct the Bucks County Council, as registration authority, to register the Official Custodian for Charities 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<sup>nd</sup> October

1980

*L. J. Morris Smith*

Commons Commissioner