



COMMONS REGISTRATION ACT 1965

Reference No. 203/U/120

In the Matter of Wheeler End Common
(south tip), Fingest and Lane End,
Wycombe District, Buckinghamshire

DECISION

This reference relates to the ownership of land containing about 0.1 of an acre being part (the south tip) of Wheeler End Common, Fingest and Lane End, Wycombe District and being the land comprised in the Land Section of Register Unit No CL.214 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 Sir Francis Dashwood, Baronet, as Lord of the Manor of West Wycombe claimed (his Agent's letter of 14 September 1977) the land; no other person claimed to be the freehold owner of the land in question or 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 25 January 1979. At the hearing Sir Francis John Vernon Hereward Dashwood, Baronet was represented by Mr M E Zorab, chartered surveyor of Smith-Woolley, Chartered Surveyors and Land Agents of Woodstock.

I treated as having been given at this hearing the evidence given by Mr Zorab at a previous hearing relating to Register Unit No CL.299, Reference 203/U/147. In the course of this evidence he produced (1) a framed copy of a map entitled "The Manor of West Wycombe in the County of Buckingham belonging to the Right Honble Francis Baron Le Despenser accurately surveyed by John Richardson...1967", (2) a photocopy of page 137 of volume 3 of the Victoria History of the County of Buckinghamshire which included a statement that the Manor and Parish were coterminous and that the Lordship was then vested in the Trustees on behalf of Sir John Lindsay Dashwood who succeeded to the title in 1903; (3) a copy of a conveyance dated 29 April 1925 by which Sir John Lindsay Dashwood conveyed to the West Wycombe Estate Company "all the waste lands of the Manor of West Wycombe...delineated on the said plan and thereon coloured yellow", (4) a copy of a conveyance dated 7 July 1955 by which West Wycombe Estate Company conveyed to Francis John Vernon Hereward Dashwood "all those freehold lands...on the said plan coloured...yellow"; and (5) a copy of a conveyance dated 5 September 1974 by which the Manor or Lordship of West Wycombe was conveyed by the personal representatives of the late Sir John Lindsay Dashwood to Sir Francis Dashwood.

The land comprised in this Register Unit appears on the 1767 map as part of a much larger area apparently belonging to the Lord of the Manor, and is on the 1925 and 1955 conveyance plans included in the lands thereby conveyed. Mr Zorab said that his firm had been appointed as managing agents for the West Wycombe Estate on 1 April 1971 (it had been previously managed by Major R S Long as Resident Land Agent); both Sir Francis Dashwood and his father Sir John through the years had exercised acts of ownership on the lands within the Manor and the land comprised in this Register Unit lies within both the Parish and Manorial boundaries.



On the evidence summarised above I am satisfied that Sir Francis Dashwood is the owner of the land and I shall accordingly direct Buckinghamshire County Council as registration authority to register Sir Francis John Vernon Hereward Dashwood, Baronet of West Wycombe Park, High Wycombe, Bucks 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 30th day of April — 1979.

C. A. Bowen-Tiller

Commons Commissioner