



In the Matter of Land at Knotty Green, Penn,  
Bucks

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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. CL204 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 Earl Howe and Penn Parish Council each claimed to be the freehold owner of the land in question ("the Register Unit") and no other person claimed to have information as to its ownership...

I held a hearing for the purpose of inquiring in to the question of the ownership of the land at Aylesbury on 21 February 1979.

At the hearing Mr P H Maitland, Solicitor, of the firm of Trower, Still and Keeling, appeared for Earl Howe, and the Parish Council was represented by its Clerk, Mr D B Chappell.

The Claim on behalf of the Parish Council was withdrawn at the hearing. As regards Earl Howe's claim, I refer to my decision in Re Penn Street Common (Reference 203/U/65) where I considered the documentary title, the problem of identification, and a general submission by Mr Maitland. I am not satisfied in this case either (a) that the Register Unit can be identified as part of the land comprised in the documentary title or (b) that in the absence of adequate evidence that the Register Unit formed part of a manor vested in Earl Howe I can apply the general submission. In the circumstances I am not satisfied that any person is the owner of the land, and it will therefore remain subject to protection under section 9 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

5<sup>th</sup> July

1979

*L. J. Morris Smith*

Commons Commissioner