



In the Matter of Manorial Waste in London End,
Wycombe End, Windsor End, and Aylesbury End,
Beaconsfield, Buckinghamshire.

DECISION

This reference relates to the question of the ownership of manorial waste in London End, Wycombe End, Windsor End, and Aylesbury End, Beaconsfield, being the part of the land comprised in the Land Section of Register Unit No. CL 262 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 the County Council claimed to be the freehold owner of the land in question and 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 June 1978.

At the hearing the County Council was represented by Miss S M Fothergill, solicitor, and Lord Burnham was represented by his agent, Mr J M Williams.

Until 1959 the land the subject of the reference was part of the roadside waste of the manor of Beaconsfield of which Lord Burnham is the lord. By a conveyance made 8 June 1959 between (1) Edward Frederick Lawson, Baron Burnham (2) Lord Burnham, Gerald Edward Coke, and Walter Edward Skipp (3) The Minister of Transport and Civil Aviation the land was conveyed to the Minister for the purpose of exercising his functions under the Trunk Roads Acts 1936 and 1946 in relation to the London - Fishguard Trunk Road. This road was detrunked by the London - Fishguard Trunk Road (Detrunking, etc.) Order 1975 (S.I.1975 No 1122) on 29 July 1975, whereupon the land became vested in the County Council by virtue of section 228 of the Highways Act 1959.

On this evidence I am satisfied that the County Council is the owner of the land, and I shall accordingly direct the County Council, as registration authority, to register itself 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 7th day of July 1978


CHIEF COMMONS COMMISSIONER