



COMMONS REGISTRATION ACT 1965

Reference No 203/U/52

In the Matter of Wingrave Pond,
Wingrave with Rowsham, Aylesbury
Vale District, Buckinghamshire

DECISION

This reference relates to the question of the ownership of land containing about 0.218 of an acre known as Wingrave Pond, Wingrave with Rowsham, Aylesbury Vale District being the land comprised in the Land Section of Register Unit No CL. 161 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 no person claimed to be the freehold owner of the land in question and no 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 5 October 1977. At the hearing Wingrave with Rowsham Parish Council were represented by Mrs M J Whitfield their vicechairman; at her request I adjourned the proceedings. I held the adjourned hearing at Aylesbury on 8 March 1978; at this hearing the Parish Council were represented as before, and present also was Mr J L Roberts who has been a member of the Parish Council since 1952.

Mrs Whitfield who has lived in the Parish since 1942, became a member of the Parish Council in 1950, was chairman from 1957 to 1966, and has since been vicechairman, in the course of her evidence produced: the Parish Council Minute Books from 1894 to 1921, from 1922 to 1957, 1957 to 1970, from 1970 to 1975, and from 1975 to date, and pointed out to me the various references in them to the Village Pond. She explained that this land is a very important feature of the Village being in its oldest part; it is a great source of delight for mothers with young children, for play schools and for persons who come to feed the ducks.

The earliest reference in the Books to the Pond is at a meeting on 12 September 1899 at which the Council approved the cleaning of the Pond and "the a/c for the same be paid". The next entries are for 1910 and relate to the repair and to the payment for cleaning it out. There are further references to the Pond in 1929, 1943, 1944, 1945, 1964 and 1968. I conclude from these entries that the Pond has always been treated as Parish property under the care and control of the Parish Council and I am therefore satisfied that the Parish Council are the owners of the land and I shall accordingly direct the Buckinghamshire County Council as registration authority to register Wingrave with Rowsham Parish Council as the owners 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 15th day of March — 1978

A. B. Fuller

Commons Commissioner