COMMONS REGISTRATION ACT 1965

Reference No.3/U/13

In the Matter of Allotment Gardens,
Northall, Edlesborough, Buckinghamshire.

DECISION

This reference relates to the question of the ownership of land known as Allotment Gardens, Northall, being the land comprised in the Land Section of Register Unit No.C.L.136 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 Edlesborough Parish 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 Bletchley on 27th March 1973.

At the hearing Mr. R.C. Tetlow, solicitor, appeared for the Parish Council.

The land in question was allotted to the Churchwardens and Overseers of the Poor of the Parish of Edlesborough by an Inclosure Award, dated 15th June 1865, made under the General Inclosure Acts as an allotment for the labouring poor of the Parish. By virtue of sections 6(1)(c)(iii) and 67 of the Local Government Act 1894 the land was transferred to the Parish Council.

On this evidence I am satisfied that the Parish Council is the owner of the land, and I shall accordingly direct the Buckinghamshire County Council, as registration authority, to register the Edlesborough Parish Council 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 16th day of April 1973

Chief Commons Commissioner