



Reference No. 202/U/36

COMMONS REGISTRATION ACT 1965

In the Matter of the Lammas Grounds,
Eton, Windsor and Maidenhead
District, Berkshire

DECISION

This reference relates to the question of the ownership of nine pieces of land (hereinafter together called "the Referred Pieces"), being nine parts of a much larger area of land (hereinafter called "the Unit Land") which contains about 380 acres, which is known as Lammas Grounds, the greater part of which is included in the large unenclosed area know as North Field and South Field and includes also South Meadow, and all of which is in Eton, Windsor and Maidenhead District and is the land comprised in the Land Section of Register Unit No. CL 164 in the Register of Common Land maintained by the Berkshire County Council. The Referred Pieces are by reference to the Register map more particularly described in the second column of the Schedule hereto and each of such Pieces is hereinafter separately referred to by the letters set out in the first column of the said Schedule; of the Referred Pieces 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 persons specified in the third column of the Schedule hereto claimed to be owners of one or more of the Referred Pieces as in such column mentioned; additionally Miss June Bridget Thorold Rogers claimed (her solicitor's letter of 13 June 1975) ownership of the Unit Land or part of it without saying to which (if any) of the Referred Pieces her claim related. No other person claimed to be the freehold owner of the land in question (the Referred Pieces) or to have information as to their ownership.

I held a hearing for the purpose of inquiring into the question of the ownership of the Referred Pieces at Windsor on 18 July 1978. At the hearing: (1) Provost and Fellows of Eton College (at Entry No. 1 in the Ownership Section of this Register Unit they are registered as the owners of all the Unit Land except the Referred Pieces) were represented by Mr J. Gidney ARICS their Estate's Manager; (2) Royal Borough of Windsor and Maidenhead were represented by Mr S. G. Hazelton solicitor in their employ; (3) Eton Town Council were represented by Mr C. A. Bates, the Town Clerk; (4) Mr Reginald Humby Tarrant attended in person; and (5) Mr Cyril Bond and Mr Charles Bond were represented by Mr P. Harrison, solicitor of Charles Leonard & Co, Solicitors of Beaconsfield.

Mr Gidney said that the Provost and Fellows of Eton College did not claim to be the owners of any part of the Referred Pieces, that is they were content to be registered as owners of all the Unit Land except the Referred Pieces.



Mr P Harrison in the course of his evidence in support of the claim of Messrs Bond to the E-F-G-H Piece produced the 1943 conveyance and the 1975 probate and the 1978 letters of administration mentioned in the Schedule hereto and identified the E-F-G-H Piece with the land conveyed by the 1943 conveyance to Mr Arthur, Mr Roland, Mr Cyril and Mr Charles Bond. He said that Mr Arthur Bond who died in 1945 was the father of the other three and that Mr Richard Bond died in 1958. On this evidence I am satisfied that Mr Charles Bond and Mr Cyril Bond (as the survivors of the 1943 conveyance grantees) are the owners of the E-F-G-H Piece.

Mr Hazelton who has since April 1974 been assistant town clerk (legal) of the Royal Borough of Windsor and Maidenhead, in the course of his evidence in support of their claim to the Y-Z-BB-AA and the CC-DD-EE Pieces, produced the 1927 conveyance mentioned in the Schedule hereto, identified these two Pieces as included in the $6\frac{1}{4}$ acres thereby conveyed and said that the Pieces are now let by the Borough for grazing. On this evidence I am satisfied that the Royal Borough are the owners of these two Pieces.

Mr Bates who has been Town Clerk of Eton Town Council since January 1975 in support of their claim to the Q-R-S-T and the FF-GG-HH-II Pieces produced the conveyances and order mentioned in the Schedule hereto and said that both recreation grounds are now managed by the Town Council. On this evidence I am satisfied that the Town Council are the owners of both Pieces.

Mr Tarrant who was born in 1910 has lived at Crown Farm all his life in support of his claim to the I-J-K-L and the M-N-O-P Pieces produced the conveyance, the copy will and the abstract referred to in the Schedule hereto. He said (in effect):- The Pieces are known respectively as Wick Close and Gudgeons Pool. They are part of Crown Farm of which his father was tenant; before his father his family had been tenants of this farm for at least 200 years; his father bought it in 1952. Under his father's will he (the witness) became entitled to the farm on payment to his brothers. From this evidence I am satisfied that Mr Tarrant is the owner of both these Pieces.

In accordance with the ownership of which I am satisfied as above I shall under section 8(2) of the Act of 1965 direct the Berkshire County Council as registration authority (1) register Mr Cyril Bond and Mr Charles Bond both of 43 Eton Wick Road, New Windsor as the owners of the E-F-G-H Piece; (2) Royal Borough of Windsor and Maidenhead as the owners of the Y-Z-BB-AA Piece and the CC-DD-EE Piece; (3) Eton Town Council as the owners of the Q-R-S-T Piece and the FF-GG-HH-II Piece; and Mr Reginald Humby Tarrant of Crown Farm, Eton Wick Road, near Windsor as owner of the I-J-K-L Piece and of the M-N-O-P Piece.

Eliot & Co, the solicitors who on behalf of Miss J B T Rogers wrote the said letter of 13 June 1975, in a letter 5 June 1978 said (in effect) that she had sold the land about which she was concerned to persons for whom B H Nicholls & Co, Solicitors of Weybridge were acting. Since the hearing these solicitors writing (letters of 20 July and 23 October 1978) on behalf of Mr and Mrs A L Oliver say in effect that they do not now wish to make any further representations on this matter.



In the absence of any evidence about the A-B-C-D Piece or of the U-V-W-X Piece I am not satisfied that any person is the owner of them and they 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 Regulation 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.

SCHEDULE

ring on ter map	Area as shown on or estimated from the Register map; and locality	Claims before the hearing	Documents produced at the hearing
D	OS Nos 3 and 4 totalling 3.036 acres near the north side of the Unit Land and east of Eton Little Common	Claimed by Mr C A and a Mr C Bond (letter of 14 July 1975 from their solicitors)	(Mr P Harrison) (1) conveyance dated 12 October 1943 by which Miss E K Hannis and another conveyed to Messrs Arthur Bond, Roland Bond, Cyril Bond and Charles Bond, Nut Close containing about 2½ acres as delineated on plan (2) probate dated 28 January 1976 of the will of Arthur Bond (he died 16 May 1975) (3) letters of administration dated 7 April 1978 to the estate of Roland Bond (he died 9 January 1955)
H	Part of OS No 16 (3.752 acres); estimated about 2½ acres. South of Manor Farm and east of Saddocks Farm.		
	OS No 49, 2.406 acres Wick Close (part of Crown Farm)		(Mr R H Tarrant) (1) conveyance dated 15 October 1932 by Commissioners of Crown Land to George Tarrant (2) copy will dated 8 January 1947 of George Tarrant



O-P OS No 51, 3.930 acre
Gudgeons Pool, part of
Crown Farm.

S-T OS No 69, 5.176 acre
Recreation Ground in
Eton Wick.

V-X Strip, part of OS
Nos (?) 47, 47a and
70; estimated
three-quarters of
an acre.
South of Eton Wick.

Eton Town Council (letter of 27 May 1975) claimed as part of Eton Wick Recreation Ground, formerly owned by Eton UDC, then (May 1975) will be Royal Borough of Windsor and Maidenhead; will under a Transfer of Property Order belong to Eton TC. Royal Borough of Windsor and Maidenhead (letter of 20 June 1975) confirmed above. Eton Town Council (letter 30 July 1977) said Transfer Order has been made.

(3) abstract dated 1962 of an assent dated 16 July 1962 by which G F J Tarrant, R V Tarrant and R H Tarrant as personal representatives of George Tarrant (he died 25 April 1949 and his will was proved 18 August 1949) assented to the vesting in R H Tarrant of all the 1932 conveyance land.

(Mr R H Tarrant)
Ditto

(Mr C A Bates)
(1) conveyance dated 31 December 1963 by the Commissioners etc of the Crown to Eton Wick Parish Council of five acres as delineated on plan (2) Local Authorities etc (Miscellaneous Provisions) Order 1977, SI 1977 No 293; Article 8(3) and Schedule Part I from the Royal Borough of Windsor and Maidenhead. Eton Wick Recreation Ground to Town Council of Eton.



A-BB

A strip about 260 yards long (north-south) and about 35 yards wide (east-west) estimated to be $1\frac{3}{4}$ acres. Off the Eton Wick Road and parallel with and about 300 yards away from the railway.

Royal Borough of Windsor and Maidenhead claimed (letter of 22 July 1975).

(Mr S G Hazelton) conveyance dated 6 April 1927 by which M H O Stewart as Lady of the Manor of Eton conveyed $6\frac{1}{2}$ acres of land to Eton UDC.

-EE

A triangular strip about 245 yards long (north-south) and having an average width of about 20 yards; estimated 1 acre. A short distance to the east of Y-Z-AA-BB Piece.

Ditto

Ditto

MH-II

OS No 92a, 8.333 acres Recreation Ground (Eton), east of the railway.

Eton Town Council (letter of 27 May 1975 supra); being the whole of Eton Recreation Ground (see Q-R-S-T above) also letters of 20 June 1975 and 30 June 1977 (ib).

(Mr C A Bates) (1) conveyance dated 6 February 1896 by J E Atkins and two others to Eton UDC of a close known as "Ten Acres" containing 8a. 1r. 21p. as shown on plan (2) the said 1977 order.

Dated this 12th day of December 1978

a a. Baskin Fuller

Commons Commissioner