



COMMONS REGISTRATION ACT 1965

Reference No.59/U/8

In the Matter of Stamford Brook Common,
Hounslow and Hammersmith, Greater London.

DECISION

This reference relates to the question of the ownership of land known as Stamford Brook Common, Hounslow and Hammersmith, being the land comprised in the Land Section of Register Unit No.C.L.48 in the Register of Common Land maintained by the Greater London 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 Council of the London Borough of Hammersmith claimed to be the freehold owner of part of the land in question and the Council of the London Borough of Hounslow 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 Watergate House, WC2H 6LB on 10th May 1973.

At the hearing Mr. William Innes, solicitor, appeared for the Council of the London Borough of Hounslow and Miss E. Allen, solicitor, appeared for the Council of the London Borough of Hammersmith. Mr. Innes was not able to adduce any evidence as to the ownership of the land in question, but Miss Allen produced an agreement dated 6th October 1926 made between (1) the Chiswick Urban District Council, and (2) the Hammersmith Metropolitan Borough Council. This agreement recited that the portion of the land in question which is now in the London Borough of Hammersmith was then vested in the Hammersmith Metropolitan Borough Council for the use, recreation, and enjoyment of the public and by it the Chiswick Urban District Council agreed to maintain it. Miss Allen also produced a consent dated 16th March 1942 by the Minister of Agriculture and Fisheries to the use of this portion of the land as allotments.

On this evidence I am satisfied that the Council of the London Borough of Hammersmith, as successor to the Hammersmith Metropolitan Borough Council under the London Government Act 1963, is the owner of the portion of the land situate in the London Borough of Hammersmith and I shall accordingly direct the Greater London Council, as registration authority, to register the Council of the London Borough of Hammersmith as the owner of that portion of the land under section 8(2) of the Act of 1965.

In the absence of any evidence I am not satisfied that any person is the owner of the portion of the land situate in the London Borough of Hounslow 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 11th day of June 1973


Chief Commons Commissioner