



COMMONS REGISTRATION ACT 1965

Reference Nos 16/U/108
16/U/109

In the Matter of (1) Sunderland
Allotments and (2) Village Garden,
Kings Langley, Dacorum District,
Hertfordshire

DECISION

These references relate to the question of the ownership of lands known as (1) Sunderland Allotments and (2) Village Garden, Kings Langley, Dacorum District being the lands comprised in the Land Section of Register Unit (1) No CL. 150 and (2) No CL. 151 in the Register of Common Land maintained by the Hertfordshire 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 these references Kings Langley Parish Council said (their clerk's letters of 13 April 1973) that these lands are owned by the Parish Council; and Hemel Hempstead Rural District Council said (their clerk's letter of 17 April 1973) the same. No other person claimed to be the freehold owner of the lands in question 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 lands at Hertford on 6 June 1973. At the hearing Kings Langley Parish Council were represented by Mr R E Nichols solicitor of Kelly & Nichols, Solicitors of Watford.

Mr Nichols in the course of his evidence, produced: (1) a conveyance dated 12 March 1953 by which Mr J Sunderland for valuable consideration conveyed to the Parish Council a piece of land containing 4.25 acres as delineated on the annexed plan, (2) an examined abstract of the earlier title to this land including abstracts or copies of a conveyance dated 22 December 1926 to Mr E W Sunderland, and an assent dated 6 February 1941 by his personal representatives to Sunderland and Sons (Kings Langley) Limited and a conveyance dated 21 October 1952 by them to Mr J Sunderland, (3) a conveyance dated 25 September 1961 by which Mr R Fisher, Mr L Dean and Mr A C Loader, after reciting that they had since a conveyance dated 18 February 1935 kept and maintained the property thereby conveyed as a village garden and were desirous of making a free gift of it, conveyed the same to the Parish Council with the intent that it should be preserved for the enjoyment of the public forever, and (4) the said conveyance of 18 February 1935.

Mr Nichols identified the CL. 150 land with that conveyed by the 1953 conveyance and said that it is still used for allotments (this being the therein recited purpose of the conveyance); it is let to an allotment association who manage the running of the allotments (vegetables etc) by various persons. He also identified the CL. 151 land with that conveyed by the 1961 conveyance and said that the Parish Council had ever since kept and maintained it as a village garden in accordance with the declared purpose of the donors.



On the evidence summarised above I am satisfied that the Parish Council are the owners of the lands and I shall accordingly direct Hertfordshire County Council as registration authority, to register Kings Langley Parish Council as the owner of the lands 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 26th day of June — 1978

a. a. Boden Fuller

Commons Commissioner