



In the Matter of three pieces of land,
Tanworth-in-Arden, Warwickshire

DECISION

This reference relates to the question of the ownership of three pieces of land, Tanworth-in-Arden, being the land comprised in the Land Section of Register Unit No. CL 42 in the Register of Common Land maintained by the Warwickshire 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 Mr J A M Hunt 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 Stratford on Avon on 19 May 1982.

At the hearing Mr Hunt was represented by Mr P J K Ewin, Solicitor, who also appeared for Mr K G Davies, and the Tanworth-in-Arden Parish Council was represented by Mr A H Kitchen, its Clerk.

The land comprised in the Register Unit consists of a triangular area at a road junction and two long strips on either side of the road leading from Earlswood to Tanworth.

Mr Kitchen informed me that the Parish Council did not claim to be the owner of any of this land.

The northern part of the strip of land on the east side of the road was conveyed to Mr Hunt by a conveyance made 24 July 1980 between (1) George Alfred Hunt (2) John Alfred Mason Hunt. Mr G A Hunt had a good root of title in a conveyance made 1 November 1954 between (1) George Arnold Keyes (2) Beryl Eileen Keyes, on the plan annexed to which this part of the strip of land is identified.

The southern part of the strip of land on the east side of the road was conveyed to Mr Davies by a Conveyance made 8 July 1959 between (1) Neville John Freeman Rushton and Nora Rushton (his wife) (2) Kenneth George Davies. The vendors derived their title through a conveyance made 23 July 1952 between (1) Joseph Partridge Corbett (2) George Arnold Keyes.

The title to the whole of this strip of land depended upon a statutory declaration dated 27 October 1941 made by Mr J P Corbett that his father George William Corbett had been in undisputed possession of the land since 29 June 1875 and that he had been in the like possession since the death of his father on 13 December 1911.

On this evidence I am satisfied that Mr J A M Hunt and Mr Davies are the owners



- 2 -

of parts of the land, and I shall accordingly direct the Warwickshire County Council, as registration authority, to register them as the owners of their respective parts of the land under section 8(2) of the Act of 1965.

In the absence of any further evidence I am not satisfied that any person is the owner of the remainder of the land the subject of the reference, which 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

17~~th~~

day of

June

1982

Chief Commons Commissioner