



COMMONS REGISTRATION ACT 1965

Reference No 202/U/40

In the Matter of Wraysbury Tennis Club,
Wraysbury, Windsor and Maidenhead
District, Berkshire

DECISION

This reference relates to the question of the ownership of land known as Wraysbury Tennis Club, Wraysbury, Windsor and Maidenhead District being the land comprised in the Land Section of Register Unit No VG 83 in the Register of Town or Village Greens maintained by the Berkshire 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 Wraysbury Lawn Tennis Club said (letter of 5 June 1975 from their Hon Secretary) that this land was on 20 December 1932 sold to Messrs Wm Worth, S Elphick and A G Ing acting as Trustees of the Club. No other person claimed to be the freehold owner of the land in question or 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 Windsor on 19 July 1978. At the hearing Wraysbury Parish Council (the registration was made on their application) were represented by Mr J R Smith one of their members, and the Committee of Management of Wraysbury Lawn Tennis Club were represented by Mr W T Hill of 38 Friary Road, Wraysbury, one of their members. On the application of Mr Hill (Mr Smith not objecting) I adjourned the proceedings.

I held the adjourned hearing at Windsor on 6 March 1979. At this hearing Mr G Curtis, Mr S R Jewson, Mr F C Burr, Mr J D Evans and Mrs I Roper as being the former and present trustees of the club were represented by Mr Hill.

Mr Hill in the course of his evidence produced: (1) an abstract dated 1930 of the title of the Rev A G Shorrocks to land in Wraysbury Green (commencing with a conveyance dated 24 November 1884); (2) and (3) an agreement dated 28 November 1930 and a conveyance dated 15 May 1931 by which he sold and conveyed pasture land at Wraysbury Green containing 3 roods and 5 perches to Messrs W Worth, S B Elphick and A G Ing on trust for themselves in equal shares; (4) and (5) a conveyance and a deed of appointment and declaration of trust both dated 9 November 1946 by which Messrs S B Elphick and A G Ing (Mr W Worth died on 20 July 1944) conveyed the said land (then "in the occupation of the Wraysbury Tennis Club") to themselves and Mr T H Worth on trust for the members for the time being of the Wraysbury Tennis Club; and (6), (7) and (8) deeds of appointment of new trustees dated 6 May 1958, 22 January 1962 and 2 June 1977 under which ultimately Mr F C Burr, Mr J D Evans and Mrs I Roper were appointed trustees of the 1946 deed of appointment to the intent that the land should vest in them.



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In the Register it is noted that the Wraysbury Parish Council claim on behalf of the inhabitants of the Parish the right to hold a fair or wake annually on Friday in Whitsun week (Inclosure Award 1803 under an Act of 1799). Mr Hill who has for the last 30 years been a member of the Club and for the last 20 years a member of the Committee, said that the land is enclosed having on it 3 tennis courts and a clubhouse. The Register map corresponds with the plan on the 1931 conveyance.

On this evidence I am satisfied that the persons appointed trustees by the 1977 deed of appointment are the owners of the land, and I shall accordingly direct Berkshire County Council, as registration authority, to register Mr Frank Charles Burr of Manor Close, 1 Garson Lane, Wraysbury, Mr John Douglas Evans of The Barn House, 3 Ouseley Road, Wraysbury and Mrs Isabel Roper of Kelvedon, 1 Ouseley Road, Wraysbury as the owners 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 26th — day of March — 1979

a.a. Bosten Fuller

Commons Commissioner