



COMMONS REGISTRATION ACT 1965

Reference No 59/U/34

In the Matter of Wallington Green,
Sutton, Greater London

DECISION

This reference relates of the question of the ownership of land known as Wallington Green, Sutton being the land comprised in the Land Section of Register Unit No. VG.67 in the Register of Town or Village Greens 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 no person claimed to be the freehold owner of the land in question and no one 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, 15 York Buildings, London WC2 on 1st May 1974. Mr M J Boon, solicitor, then appeared for the Council of the London Borough of Sutton and agreed to a request for an adjournment made in writing by Messrs Lucas and Wyllys, solicitors, on behalf of Sir Patrick Ion Hamilton Benn. I granted the adjournment and resumed the hearing at Watergate House on 3rd February 1976, when Mr G Isaac, solicitor, appeared on behalf of the London Borough Council. Meanwhile Messrs Lucas and Wyllys had informed the Clerk of the Commons Commissioners by a letter dated 16th January 1975 that they were unable to take the matter further for want of further instructions from their client.

At the resumed hearing Mr Isaac produced an agreement made 15th March 1902 between (1) Ion Hamilton Benn (2) Wallington Parish Council under which the Parish Council undertook the management of the land in question, but he was unable to adduce any evidence as to the present ownership of the land.

In the absence of any evidence I am not satisfied that any person is the owner of the land, and I shall accordingly direct the Greater London Council, as registration authority, to register the Council of the London Borough of Sutton as the owner of the land under section 8(3) 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 4th day of February 1976


Chief Commons Commissioner