

**IN THE MATTER OF A PROPOSED REFURBISHMENT TO THE PLAY SPACE AT
THE TOOTING TRIANGLE, TOOTING BEC COMMON, LONDON, SW12 0PP**

STATUTORY DECLARATION OF IAN DOUGLAS RENSHAW

I, IAN DOUGLAS RENSHAW, of The Town Hall, Wandsworth High Street, London, SW18 2PU, Local Land Charges Manager to Wandsworth London Borough Council ("the Council"), do solemnly and sincerely declare as follows:

This statutory declaration is made in connection with an application to the Department for Environment, Food and Rural Affairs, for Ministerial Consent under the Ministry of Housing and Local Government Provisional Order (Greater London Parks and Open Spaces) Act 1967, to construct and install play equipment, play and natural surfacing and redecorate the outside walls of the 2 buildings within the play space, so as to form a play space for under 16's at the Tooting Triangle, Tooting Bec Common, London, SW12 0PP ("the Project").

I am employed by the Council as its Local Land Charges Manager. In that capacity I am responsible for the Register of Common Land and Towns and Village Greens and the maintenance of the Local Land Charges Register. I commenced my employment with the Council on 2nd January 1979 as the Deputy Local Land Charges Manager. I progressed to my current role as Local Land Charges Manager in 1987. During my 31 years of continuous employment by the Council as described above, I have acquired knowledge of Tooting Bec Common as follows.

I am aware that the Commons Registration Act 1965 established the requirement for the Council to keep a Register of Common Land and Town and Village Greens to include a register of ownership, land and rights and entries for all common land located within the London Borough of Wandsworth.

Prior to 1st April 1986, the Register of Common Land and Towns and Village Greens for common land located within the London Borough of Wandsworth was held by the former Greater London Council ("the GLC").

I am aware that the GLC transferred the management and maintenance of Tooting Bec Common to the Council in April 1971, but that the Register of Commons was maintained by the GLC until 1986.

The GLC was abolished in 1986 and on 1st April 1986 responsibility for the transfer of the Register of Common Land and Town and Village Greens was passed to the "London Residuary Body". During 1986, the London Residuary Body transferred responsibility for the Register of Common Land and Town and Village Greens to various local authorities including to the Council in respect of common land located within the London Borough of Wandsworth.

In 1986, I was employed by the Council as the Deputy Land Charges Manager. I recall that during 1986 I attended a meeting at the GLC offices at County Hall, London, accompanied by a Mr William Toombs, who was at that time the Council's Local Land Charges Manager. At that meeting, I recall that the London Residuary Body handed the Register of Common Land and Town and Village Greens documents for the commons listed below to Mr Toombs and me, who received these documents on behalf of the Council: Clapham Common, Wandsworth Common, Garratt Green, Tooting Graveney Common and Tooting Bec Common.

I recall that the London Residuary Body had decided that as Clapham Common and Tooting Bec Common crossed borough boundaries between the London Borough of Wandsworth and the London Borough of Lambeth, the original register for Clapham Common would be passed to Lambeth London Borough Council ("Lambeth Council") and the original register for Tooting Bec

Common to the Council. I was informed that copy documents of the Commons that crossed borough boundaries between the London Borough of Wandsworth and the London Borough of Lambeth had been made and it was decided to pass a copy of the register for Clapham Common to the Council and a copy of the register for Tooting Bec Common to Lambeth Council.

I further recall that during the 1990's, whilst in the process of undertaking a local land charges search, I discovered that an error had occurred during the handover of the register between the London Residuary Body and the Council, namely, that the Council had been given the original register for Clapham Common and the copy for Tooting Bec Common; and that no copy of the rights section of the register for Tooting Bec Common could be found amongst the documents handed over.

I further recall that when I made the above-mentioned discovery, I contacted the Local Land Charges Manager for Lambeth Council (one John Jolly) to request the original Register of Common Land and Town and Village Greens for Tooting Bec Common, and that Lambeth Council informed me that they did not have the documents. At this time, I recall that I returned to Lambeth Council, the original Register for Clapham Common.

The register sheet held by the Council for Clapham Common and the Tooting Bec Common are stamped with the words 'Registration Provisional'. The register sheets for the commons that are fully within the London Borough of Wandsworth (Wandsworth Common, Garratt Green, Tooting Graveney Common) are stamped with the words 'Registration Provisional' which has been crossed through. I do not recall the process for the original registration of the commons but presume that once these words were crossed through this constituted registration.

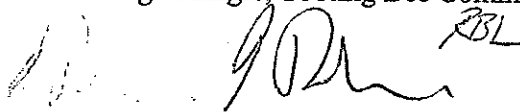
In addition to the above, on the 6th July 2010 I located correspondence between the GLC and the Council relating to the Commons Registration Act 1965. That correspondence, consisting of letters dated the 17th and 21st April 1970, refers to the transfer of "Tooting Bec Common with Streatham Green" from the GLC to the Council, under Section 58(2) of the London Government Act 1963.

The letter dated 17th April 1970, from the then Director-General of the GLC to the Council's then Town Clerk states that "No applications for registration of rights of common over any of these lands had been made before the time limit expired on 2nd January 1970 and no rights of common could be exercised over the lands after 31st March 1970".

I have consulted records kept by the Council's Local Land Charges Office since the above-mentioned transfer of documents in 1986 and these records do not contain details of any applications to register common rights or details of any individuals applying to or attempting to exercise rights of common.

Based on my knowledge and experience as aforesaid, including more than 31 years' continuous employment by the Council, I am unaware of any registered rights which would prevent the continuing use of the Tooting Triangle, Tooting Bec Common, for its existing use and for delivery of the Project.

Declared at



This 16th day of NOVEMBER 2010

Before me,

Solicitor/Commissioner of Oaths

BIRDS SOLICITORS

No 1 GARRATT LANE

WANDSWORTH

SW18 2PT

Tel: 0208 874 7499 Fax: 0208 870 6777