

BP Properties Ltd v Buckler

Version 1.0.0 · 2026-10-23

Editors of the Great House Farm Legal Wiki

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Page 25 of the Great House Farm Legal Wiki, carried over from the version last modified on 2026-10-21. The same page is published at research.bucklerfamily.estate, and this version is also a [PDF](#) in the wayback archive.

1 Release notes

1.1 This release (version 1.0.0)

- **2026-Oct-23** - Carried over to the docs library from Legal Wiki page 25 (last modified 2026-10-21 19:06:46 UTC). The page text, dates and references are as on the wiki. Links to wiki pages lead to the same page on research.bucklerfamily.estate; images are links to their files on the wiki.

1.2 Older versions

None yet.

2 Record

Page ID: 25 · **Title:** BP Properties Ltd v Buckler · **Evidence status:** Corrected 18 Oct 2026; evidence labels on the edited lines · **Version:** 0.1.2 · [Editing Protocol](#)

[About this page type](#) → [Read the Docs](#)

BP Properties Ltd v Buckler [1987] EWCA Civ... .. read more

BP Properties Ltd v Buckler [1987] EWCA Civ 2, (1988) 55 P&CR 337, [1987] 2 EGLR 168, is the Court of Appeal decision that ended the principal 1980s possession appeal. It is a leading English case on adverse possession and on the effect of a licence the occupier never accepted. The reported appeal addressed possession, limitation and the effect of the 1974 letters. The family's current contention concerns the full Parcel-A title said to arise when the 1877 arrangement took effect in 1928: farmhouse/buildings; barn, stable and yard west of the house; garden; the northern forest; and the south-eastern green later registered as VG41. The complete pleadings and judgment should be used to identify precisely which title issues and parcel extents were put and decided; the page should not state categorically that title was never examined unless the record supports that formulation. The family then took the case to the European Commission of Human Rights, which declared it inadmissible in 1989 ([below](#)).

Evidence-dependency links: the judgment's... .. [read more](#)

Evidence-dependency links: the judgment's scope must be read from [GHF-E141 — Court of Appeal judgment](#)

together with [BP v Buckler: Scope, Decided & Undecided](#). The family's separate root-title case is synthesised in the [Parcel A/B title claim and occupancy-characterisation claim](#). The reported late 1983 notice is kept distinct and remains pending at [GHF-E180](#). Follow the [Site Hierarchy Tree View](#) for the full dependency chain.

Courts	High Court (Hollis J, Cardiff), then Court of Appeal; leave to appeal refused by the House of Lords; application to the European Commission of Human Rights
Appeal judges	Dillon LJ, with Mustill LJ and Sir Edward Eveleigh agreeing
Key dates	Writ 22 May 1984 · trial 10 July 1986 · appeal 31 July 1987 · Lords 3 March 1988 · Strasbourg 14 April 1989
Parties	BP Properties Ltd v William Buckler, son and heir of Mary (Nancy) Williams
Counsel (appeal)	J B W McDonnell QC and M Jarman for the appellant; Paul Morgan for BP (Linklaters & Paines)
Documents	European Commission decision, 14 April 1989 . The Court of Appeal judgment is published on BAILII; the family's copy is to be uploaded.
Parcel	The farmhouse and garden were the occupied house group within the full Parcel A. The family's title case also includes the north forest and the south-east ground later registered as VG41; Parcel B was the separate eastern agricultural fields.

Title registration alongside the case. [The... .. read more](#)

Title registration alongside the case. The appeal ran in parallel with the title chronology: first registration in 1982–83, two titles still live in 1986, and an amalgamation application on 2 February 1987, while the appeal was pending ([Land Registry titles](#)). These events need a parcel-specific review against the full Parcel-A boundary and the distinct Parcel-B agricultural title. The related pages set out the questions concerning notice, the 1982–83 opportunity to object and the 1987 amalgamation during the appeal; these are issues to assess from the file rather than findings of procedural failure ([notice and procedural fairness](#), [the 1982–83 opportunity to object](#), [the 1987 amalgamation during the appeal](#)).

The family's case for further review: the... .. read more

The family's case for further review: the contention is that the full Parcel-A title and the later forest/green seizure were not adequately reflected in the possession litigation and registration process. The appellate summary records that Mary's claimed title documents were not produced; the reason for non-production, what was pleaded or disclosed, and which title propositions were decided must be tested against the surviving record. See [the family's concealment/limitation case](#) and the [Legal Review](#). These remain allegations and issues for legal assessment, not findings of fraud.

2.1 Interpretation: 1954 tenancy attempt, the court's reasoning and the 1987 amalgamation

The alternative 1928–1940 limitation calculation. The twelve-year period for recovery of land was already provided by section 1 of the [Real Property Limitation Act 1874](#); it did not first come into existence in 1940. If, as Mary (Nancy) Williams, formerly Buckler, witness statement c.1974 ([Mary \(Nancy\) Williams testimony](#)) indicates (last rent paid 1928), the relevant owner's right to recover Parcel A accrued when occupation became adverse by about 1928, a twelve-year period could potentially have completed by about 1940. If the clock began only in 1940, twelve years would reach about 1952—not 1940. These are calculations conditional on proof: non-payment of rent alone does not establish adverse possession, and the true owner, parcel, possession, intention, permission/tenancy, acknowledgment and relevant proceedings must be established.

A failed attempt to make occupation permissive in 1954 would not, merely by being proposed, restart a limitation period already completed. But the legal effect of the 1955 and 1962 possession orders is separate and potentially decisive. The 1955 order was against Frederick and is described in the appeal report as covering the whole farm; the 1962 proceedings were brought against Frederick and Mary for the farmhouse and garden [PENDING: [EV-0041](#)]. The orders' exact land, pleadings, issues decided and consequences for any earlier Parcel-A title must be tested directly, rather than assumed from the words "whole farm" or from the later adverse-possession calculation.

Attribution check: the accessible published 1987 Court of Appeal report does not mention the year 1954. It records a 10 October 1952 agents' letter saying WGR did not propose to proceed with the letting, yet Dillon LJ nevertheless concluded that Frederick had a protected periodic agricultural tenancy. The separate 1954 failed attempt remains tracked at [GHF-E182](#) pending the source supporting it; it should not be attributed to Dillon's judgment without a separate, identified passage.

The family chronology identifies a further failed attempt to make Frederick Buckler a tenant in 1954, distinct from the unwritten 1949–1953 agricultural tenancy. This is tracked in [GHF-E182](#); the original source is pending. The published appeal judgment treated the 1949 tenancy as a real periodic tenancy protected by the Agricultural Holdings Act despite the absence of a written agreement. The question is whether that tenancy's land-scope—and

the distinct 1954 proposal—could properly be used to describe the separate Parcel-A occupation as permissive.

The Court of Appeal did not simply accept Hollis J's view that Frederick's possible willingness to take a tenancy defeated adverse possession. Dillon LJ described the trial judge's treatment of Mary's intention as paradoxical and found that Frederick and Mary were jointly in adverse possession of the farmhouse and garden from 2 February 1955. The appeal was nevertheless dismissed because the 1962 possession order could still be enforced and the 1974 letters made Mary a licensee for limitation purposes.

The judgment's references to BP's paper title and registration must be tested separately from those possession findings. The current Wiki title chronology records two separate title numbers (WA231076 and WA240304) still live after the 1986 trial, and an amalgamation application dated 2 February 1987 while the appeal was pending [PENDING: [EV-0078](#)]. That is a question about the exact parcel extent and what was before the court—not proof that the court or parties knew of a defect. Two title numbers do not, by themselves, prove different ownership.

The published appeal's statement that the result might have been different concerned Mary expressly repudiating the 1974 licence letters. It should not be restated as a finding that a full trial of the 1877 root title would have yielded a different result unless that proposition is sourced independently. The complete pleadings, trial evidence, appeal bundle, registers/plans and amalgamation file are needed before concluding that a material fact was misstated or that procedure was unfair.

2.2 The case, in date order

1983 – 1984: Mary's death and the writ

Evidence: [Court of Appeal judgment, 1987](#) (also catalogued as GHF-E025-02) · [Commission decision, 1989](#) (also catalogued as GHF-E025-01)

Evidence description: Mary died on 26 March 1983 ([details](#)). Her son, [William Buckler](#), inherited her estate and continued to live at the farm. On 22 May 1984 BP served him with a writ for possession of [Great House Farm](#) and adjoining land.

Evidence description: the defence relied on adverse possession under sections 15(1) and 17 of the Limitation Act 1980: twelve years' exclusive occupation bars the owner's claim and extinguishes the owner's title.

Occupied house group William occupied the farmhouse/buildings/garden group within the full Parcel A; this was not the full extent of Parcel A. The family's title case also includes the north forest and south-east ground later registered as VG41. BP's claim to the eastern fields has to be kept distinct from the land encompassed by the house-side estate.

← A + B as one →

Nomenclature

- [the farm](#)
- [whole farm](#)
- [Parcels A and B](#)

[Proceed to evidence](#) →

Click the yellow label again to close.

The defence counted from 1955 ([1955 enforcement](#)) using the "whole farm" narrative. The family's case is that this later starting point obscured the 1928 title effect and the seizure of Parcel-A forest and green during enforcement of Parcel B. The precise extent of the claim and issues decided in the appeal must be stated from the pleadings and judgment, separately from Mary (Nancy) Williams's c.1974 statement of the full land originally claimed ([Mary \(Nancy\) Williams testimony](#)).

Research note. Mary's ownership claim arose from the full Parcel-A estate under the 1877 arrangement taking effect in 1928. [SOURCE PENDING] The 1949 permissive-occupancy attempt failed, and later use of the "whole farm" wording blurred Parcel A with Parcel B. The 1959/1962 references to the house and garden concern the occupied house group that Mary defended, not necessarily the full area she claimed. The pleadings and judgment should be read closely before saying the ownership claim was formally abandoned or "set aside" ([The two parcels](#)).

10 July 1986: High Court

Evidence: [Court of Appeal judgment, 1987](#) (also catalogued as GHF-E025-04) · [Commission decision, 1989](#) (also catalogued as GHF-E025-03)

Evidence description: Mr Justice Hollis heard the case on 10 July 1986 and gave judgment in the High Court on 24 July

1986 (Court of Appeal judgment, 31 July 1987; South Wales Echo, 25 July 1986, p.3 — PRESS REPORT) [PENDING: [EV-0074](#)]. He held that Mary had been given a valid licence (the [1974 letters](#)), so she was not in adverse possession. Judgment was for BP, with the possession order suspended for six months (1987 judgment).

Occupied house groupThe licence and the possession order concerned the farmhouse and garden that remained occupied. That description does not define the full Parcel-A extent claimed by the family, which also included the north forest and south-east green.

16 – 31 July 1987: Court of Appeal

Court judgment **Court of Appeal, BP Properties Ltd v Buckler** [1987] EWCA Civ 2, 31 July 1987 (Dillon LJ)

Placeholder: copy held by the family; full text to be uploaded

Catalogue: GHF-E025-05

Location: [BAILII](#) / [legal record](#)Duplicate catalogue entries merged here: GHF-E025-02, GHF-E025-04

What the judgment says (verbatim extracts):

“It was intended that Mr [Frederick Buckler](#) should have a written tenancy agreement, but this did not happen because Mr Frederick Buckler also failed to pay the rent.”

“[Western Ground Rents](#) then brought proceedings for possession against Mr Frederick Buckler in the High Court and obtained a possession order, under Order 14, in respect of the whole of the farm.”

“No such documents were, however, ever produced.”

Evidence description: the appeal was heard on 16–17 July 1987 and dismissed on 31 July 1987 [[EV-0080](#)]. It was argued, among other things, that Mary never accepted the licence because she regarded herself as owner. The court held that (1) the [1962 action](#) was brought within 12 years of [1955](#), so time had not run out; and (2) BP’s [1974 letters](#) made Mary’s possession permissive, whether or not she accepted them. It recorded that her claimed title documents were never produced [[EV-0080](#)].

Occupied house groupThe appellate summary discusses the possession order, licence and missing title papers in the context of Mary’s occupation of the house group. The family’s wider Parcel-A case includes the forest north and the green ground south-east, said to have been taken during enforcement of Parcel B in 1955.

← A + B as one →

Nomenclature

- [the farm](#)
- [whole farm](#)
- [Parcels A and B](#)

[Proceed to evidence](#) →

Click the yellow label again to close.

The judgment applied the 1955 starting point to the house parcel for limitation purposes. It did not examine whether [Parcel A](#) was ever conveyed into WGR; it relied on the whole-farm description.

Research note. Mary’s statement records that the family title deed was reported missing in 1950–52, and that a lodger later told her he had taken the papers from the farmhouse at Mr Knapp’s request (Mary (Nancy) Williams, witness statement c.1974 ([Mary \(Nancy\) Williams testimony](#))). The provenance, timing and circumstances rest on her testimony unless independently corroborated; the missing papers do not by themselves prove who removed them or why ([papers taken; Mary’s statement](#)).

3 March 1988: House of Lords

Court order **House of Lords order staying execution for 28 days, 1988**

Missing; to be traced

Catalogue: GHF-E025-08

Location: Not yet established from the present record

Evidence: [Commission decision, 1989](#) (also catalogued as GHF-E025-07)

Evidence description: the House of Lords refused leave to appeal on 3 March 1988 [PENDING: [EV-0076](#)]. For the eviction attempt that followed, see [1988: eviction](#).

Occupied house groupThe farmhouse and garden were the remaining occupied centre within the full Parcel A, not the full estate.

Research note. [SOURCE PENDING] The Lords also stayed execution for 28 days so the family could find somewhere else to live; the order itself is still to be traced.

1988 – 1989: European Commission of Human Rights

Human-rights decision [European Commission of Human Rights, Buckler v United Kingdom, 14 April 1989](#)

[Open the document](#) →

Catalogue: GHF-E025-09

Location: [HUDOC](#) / [European Court of Human Rights](#) Duplicate catalogue entries merged here: GHF-E025-01, GHF-E025-03, GHF-E025-06, GHF-E025-07, GHF-E027-09

Evidence description: William Buckler applied to the Commission on 3 May 1988 (registered 12 December 1988, No. 14464/88) [[EV-0122](#)]. He complained of an unfair trial and judicial bias (Article 6), including that the judge ignored a previous court ruling and failed to distinguish between the current and previous title holders; interference with his home (Article 8) and his possessions (Article 1 of Protocol 1); and lack of an effective remedy (Article 13). While the application was pending BP took possession and demolished the farmhouse ([1988 possession and demolition](#)).

On 14 April 1989 the Commission declared the application inadmissible: the fair-trial complaint was not substantiated; the loss of the home was lawful and justified to protect BP’s rights as owner; he had no “possession” in law because the courts held the property belonged to another; and unsuccessful appeals are still an effective remedy. The Commission ruled on the domestic courts’ findings; it did not see the title documents either.

Occupied house group The farmhouse was his home within the full Parcel A, whose extent also included the north forest and south-east ground later registered as VG41 on the family’s case.

What the judgments’ history omits

Research note. The available judgment and Commission summaries start from the 1916 tenancy and the later possession chronology. The family’s separate title case is that the 1877 arrangement took effect in 1928 and carried the full Parcel-A house/quarrying estate—not just the occupied house group—to the Williams family. The family also relies on Mary’s statement, the 1938 conveyance, the already-obtained 1939 Parcel-B-only tenancy plan, the reported loss of title papers in 1950–52, the failed 1949 permissive-occupancy attempt and the later 1955 “whole farm” description. These points should be compared against the exact issues and evidence before the courts; their omission from a summary alone does not prove concealment or establish that no title issue was raised.

Legal effect today

Evidence: [HMLR complaint decisions, 19 April 2026 \(stage 1\) and 25 May 2026 \(stage 2\)](#) (also catalogued as GHF-E025-10)

Evidence description: HM Land Registry cited the 1987 judgment in 2026 when rejecting the family’s complaint about the 1982–83 registration. The registration is a distinct event before the judgment; the current question is whether the register accurately reflects the full Parcel-A extent and the separate Parcel-B history, and whether a statutory alteration/indemnity route applies. That question should not be collapsed into a claim that the possession appeal itself resolved every title-extent issue.

Parcel A The complaint concerns the registered title to the house parcel and its [woodland](#).

Research note. The judgment decided possession, not ownership. The family’s routes to reopening rest on the new evidence, chiefly the [1877 papers](#), the 1938 conveyance and the 1939 tenancy, and on how that evidence came to be kept from the court. See [Restoration campaign](#).

Reopening: how the newly recovered evidence... .. read more

Reopening: how the newly recovered evidence on Parcel A reopens the earlier proceedings, and the answers to the objections the family will meet, are set out in [Anticipated Objections and the Family’s Answers](#).

Method and evidence key: Main Page · title... .. read more

Method and evidence key: [Main Page](#) · [title test](#) · [Scrutiny & Accountability](#)

See also: [Mary \(Nancy\) Williams’s statement](#) · read more

See also: [Mary \(Nancy\) Williams’s statement](#) · [Evidence Library](#) · [Master timeline](#) · [Legal Review](#)

2.3 Page version & change log

Current version: 0.1.2

Version	Date (UTC)	Editor (human or agent name)	Change	Source / evidence
0.1.2	2026-10-18T15:15Z	Sion's Tab agent	Correction (18 Oct 2026): Item 2: judgment date 24 July 1986, not 10 July.	Corrections log — 18 Oct 2026 (page 3919) / Master Change Log (3923)
0.1.1	2026-10-18T15:15Z	Sion's Tab agent	Footer standardised; earlier log rows carried into this table; no content change	Editing Protocol, 18 Oct 2026
0.1.0	2026-10-18T14:27:00+01:00	OpenAI-assisted maintenance agent (GPT-6)	Installed footer log and began SemVer tracking at 0.1.0; not a reconstruction of earlier revisions. CURRENT VERSION: 0.1.0.	Saved via WordPress API; public rendering not individually checked.

Agents and editors: follow the [Editing Protocol](#).