

Legal Review Addendum — 6 October 2026 Fresh Re-assessment

Version 1.0.0 · 2026-10-23

Editors of the Great House Farm Legal Wiki

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Page 1426 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 1426 (last modified 2026-10-21 19:36:30 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

This material now lives at <https://fcg.bucklerfamily.estate/case/legal-review-addendum-6-october-2026-fresh-reassessment>.

Page ID: 1426 · **Title:** Legal Review Addendum — 6 October 2026 Fresh Reassessment · **Evidence status:** Not yet labelled — see the Editing Protocol · **Version:** 1.0.0 · [Editing Protocol](#)

2.1 Further legal correction — 16 October 2026

Registration and the 1987 judgment. Dillon LJ said that if Mary had acquired a valid title to the farmhouse and garden, it would have been an overriding interest binding on BP's registration and her personal representatives could seek rectification. This is conditional and does not prove ownership or fraud. A direct register/title claim and a fraud-based challenge to the judgment are distinct routes.

Indemnity time limit. The original Land Registration Act 1925, section 83(11), included a special six-year limit from registration for specified indemnity claims. The Land Registration Act 1997, section 2, replaced section 83 and removed that special proviso. Under the replacement provision, limitation was knowledge-based; the current Land Registration Act 2002, Schedule 8 paragraph 8, likewise treats an indemnity liability as a simple-contract debt and provides for accrual when the claimant knows or, but for their own default, might have known of the claim. Therefore the fact that WA240304 was registered in 1983 is not, alone, enough to decide limitation. It remains necessary to define the claimant and claim, establish when the indemnity claim became known or reasonably knowable, evaluate any default and causation, and apply the correct transitional regime. This is a route to investigate, not a conclusion that compensation is available.

File leads. The Court of Appeal report names Loosemores (through Robbins Olivey & Blake Lapthorn) for Mr Buckler and Linklaters & Paines for BP Properties. It also records no grant of representation to Mary's estate had been obtained by July 1987; later probate status must be checked. The report does not name Masons in the appeal, so any Pinsent Masons enquiry must be limited to verifying a separate matter. See [records request plan](#) and [GHF-E141](#).

Sources: [1987 judgment](#) · [Land Registration Act 1997, s.2](#) · [Land Registration Act 2002, Sch.8](#).

6 October 2026 addendum. This page records the legal corrections and new routes identified by the fresh cross-review. It is for issue identification and solicitor/barrister review, not a legal opinion.

2.2 1. Limitation — do not use one rule for every claim

Limitation must be analysed cause-by-cause. Section 32 of the Limitation Act 1980 can postpone limitation for an action based on fraud, deliberate concealment or mistake until discovery or when the fact could with reasonable diligence have been discovered. The Supreme Court in *Canada Square Operations Ltd v Potter* [2023] UKSC 41 held that "deliberate" concealment requires intentional conduct; recklessness alone is insufficient.

[Limitation Act 1980 s.32](#) · [Canada Square v Potter](#)

2.3 2. 1987 judgment — the Takhar route

Takhar v Gracefield Developments Ltd [2019] UKSC 13 establishes an important fraud-based route for challenging a judgment obtained by fraud. The family still has to prove fraud affecting the obtaining of the judgment. Loss of documents in 1950–52, without proof that the judgment was obtained through fraud, is not enough.

[UK Supreme Court — Takhar](#)

2.4 3. Reopening the final appeal

CPR 52.30 provides a narrow route for reopening a final determination of an appeal where necessary to avoid real injustice, the circumstances are exceptional, and there is no alternative effective remedy. Permission is required. [?]

[CPR Part 52](#)

2.5 4. Pre-action disclosure

CPR 31.16 permits an application for disclosure before proceedings where the respondent and applicant are likely parties to subsequent proceedings, the documents would fall within standard disclosure, and early disclosure is desirable to dispose fairly of the anticipated proceedings, assist resolution or save costs. This should be considered once the proposed claim is sufficiently framed.

2.6 5. Registered land — the adverse possession correction

For registered estates, LRA 2002 s.96 disapples the Limitation Act 1980 s.15 recovery-of-land limitation period, while Schedule 6 provides the modern adverse-possession registration mechanism. Historic events before the 2002 regime came into force need the applicable historical and transitional analysis. The case should therefore not be reduced to “12 years expired”.

LRA 2002 s.96 · LRA 2002 Schedule 6

2.7 6. Registration fraud — historical law

The Land Registration Act 1925 contained express provisions dealing with suppression of documents or facts in registration proceedings (s.115) and fraudulent procurement of register entries (s.116). These provisions should be used as a historical legal test for the 1982–84 conduct, not as a present finding that anyone committed an offence.

Land Registration Act 1925

2.8 7. Rectification and woodland

The Land Registration Act 2002 provides alteration/rectification routes under Schedule 4 and a statutory indemnity regime under Schedule 8. HM Land Registry’s current Practice Guide 83 explains the register-alteration and rectification framework. For the woodland, the legal question is whether a precisely identified polygon is family land and whether the later registration/disposition is a mistake or otherwise ineffective against that title. If so, the remedy can be proprietary restoration/rectification rather than a purchase, subject to the statutory protections applicable to the later registered proprietor.

HM Land Registry Practice Guide 83

2.9 8. Correction to the Wiki’s former s.4 statement

Section 4 of the Limitation Act 1980 concerns limitation for certain actions involving stolen goods/chattels. It is not a general rule removing limitation from land claims. Any claim concerning the missing papers must be pleaded against the particular legal cause of action and facts. [?]

Limitation Act 1980 s.4

2.10 9. Evidence before law

The decisive evidence remains: the 1984–87 litigation file; WA240304 items 4,5,7,9,10,11; WA231076 item 17 (A13); the 1962 and 1974 files; the 1877 Bute/Thomas records; the 1938 and 1939 plans; and the 1994 woodland transfer and consideration. The legal analysis should be updated as those primary records arrive.

Forensic Master Chronology · Forensic Evidence Capture Schedule

2.11 Page version & change log

Current version: 1.0.0

Version	Date (UTC)	Editor (human or agent name)	Change	Source / evidence
1.0.0	2026-10-18T15:27Z	Sion’s Tab agent	Footer standardised; no content change	Editing Protocol, 18 Oct 2026

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