



COMMONS REGISTRATION ACT 1965

Reference Nos 236/U/75  
236/U/76

In the Matter of (1) Land at the junction of Sandpit Road and Brighton Road, and (2) land at Elms Road, Reigate and Banstead Borough, Surrey

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DECISION

These reference relate to the question of the ownership of (1) land at the junction of Sandpit Road and Brighton Road and (2) land at Elms Road, both in Reigate in the Borough of Reigate and Banstead being the lands comprised in the Land Section of Register Unit (1) No CL. 491 and (2) No CL. 490 in the Register of Common Land maintained by the Surrey 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 the Reigate and Banstead Borough Council claimed ownership of the lands in question; no other person claimed to have information as to their ownership.

I held a hearing for the purpose of inquiring into the question of the ownership of the lands at Guildford on 22 May 1978. At the hearing the Borough Council were represented by Mr P D C Brown, solicitor in their employ.

Mr Brown in the course of his evidence produced: (1) a conveyance dated 9 November 1922 by which Mr H C S A Somerset with the intent of promoting the welfare of the Borough of Reigate and in remembrance of the close association of his family with that Borough conveyed to the Mayor Aldermen and Burgesses the manor or manors of Reigate and Horley and all waste and common lands which were parcel of the said manor or manors including Redhill and Earlswood Commons, Reigate Heath, Wray Common and Petridge Wood Common; (2) the Reigate Corporation Act 1945 (9 Geo 6.c.x) which recited the said conveyance, defined (section 4) "the commons" therein mentioned by reference to a map signed in triplicate by the Rt Hon G A M H-G Baron Stanmore, and dealt with such commons on the basis that they were or would become vested in the mayor aldermen and burgesses of the Borough of Reigate; and (3) the said map signed by Lord Stanmore.

The said map shows the lands in question on this reference as included in the commons therein defined, and I am therefore satisfied that the Reigate and Banstead Borough Council as successors under the Local Government Act 1972 of the said Reigate Council are the owners of the lands, and I shall accordingly direct the Surrey County Council as registration authority to register Reigate & Banstead Borough Council 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 1st day of June — 1978

*C. A. B. J. J. J.*  
Commons Commissioner