



COMMONS REGISTRATION ACT 1965

Reference No. 236/U/120

In the Matter of Holmbury Hill or
Hurtwood Common, Shere, Guildford
District, Surrey

DECISION

This reference relates to the question of the ownership of the part ("the Referred Part") hereinafter defined of the land which is known as Holmbury Hill or Hurtwood Common, Shere, Guildford District and which is the land comprised in the Land Section of Register Unit No. CL21 in the Register of Common Land maintained by the Surrey County Council. The Referred Part means the part of the said land which is not registered at HM Land Registry under title Nos. SY96752, SY108831, SY143380, SY149103, SY244793, SY335299, SY150307, SY1412066 and SY373368 and 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 Mr G E Lee-Steere claimed (his solicitor's letter of 11 October 1979) ownership of the land in question. No other person 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 Guildford on 28 November 1979. At the hearing Mr G E Lee-Steere was represented by Mr D G Sills, solicitor of Monier Williams & Keeling, Solicitors of London; and Surrey County Council as registration authority were represented by Mr P Daniels.

The land in this Register Unit is approximately $\frac{1}{2}$ a mile square (its north and west boundaries are straight lines, but its east and south boundaries are irregular). The County Council as registration authority provided me with a plan showing edged red the Referred Part as above defined; a copy of this plan (the red edging being shown on the copy as a thick black line) is page 2 of this decision. Hereinafter the eastern of the ~~part of the~~ pieces which comprise the Referred Part is called "the Hill Fort ~~Piece~~" and the other piece is called "the West Piece".

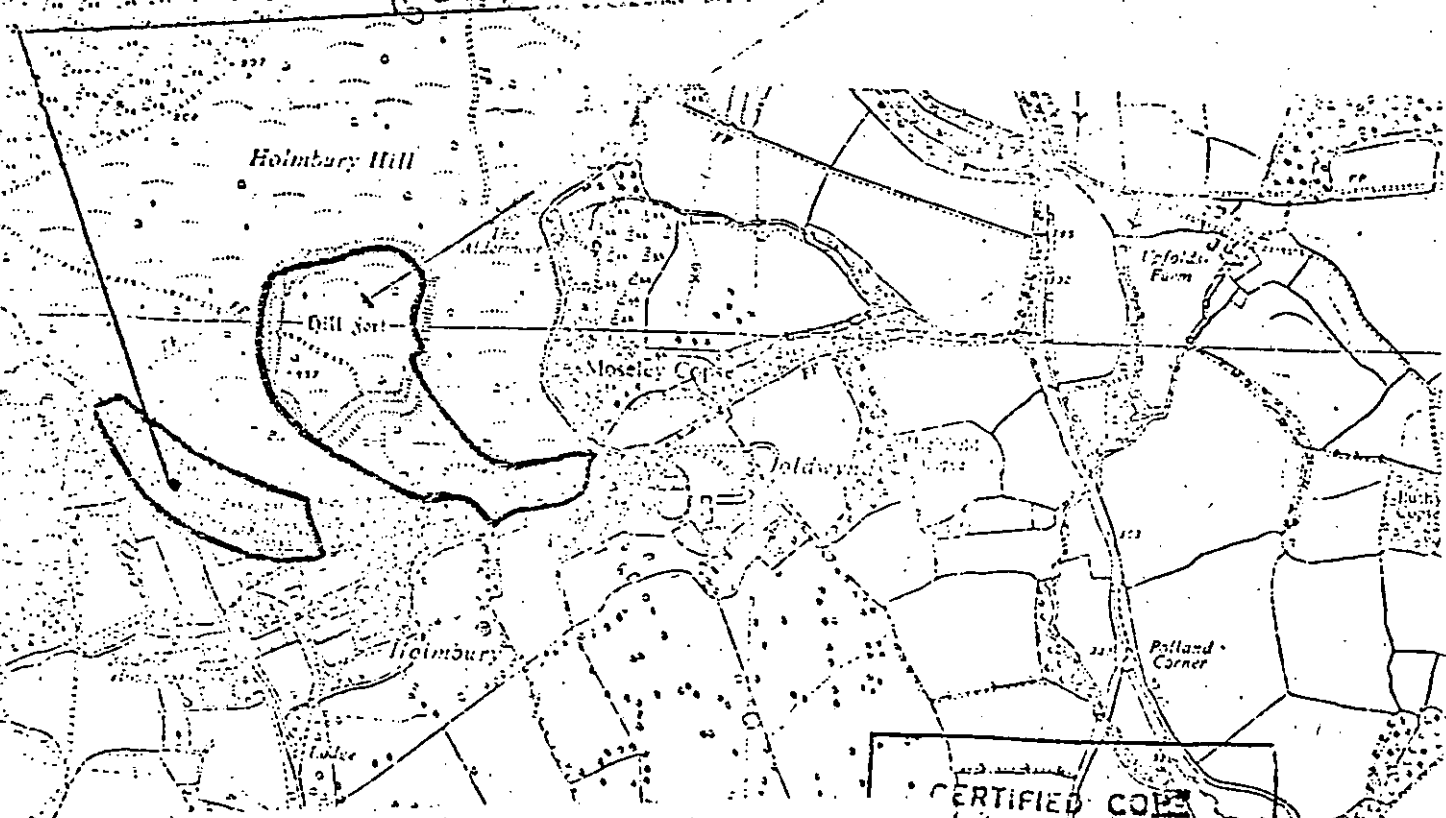
Mr Sills after explaining that his client was only claiming ownership of the Hill Fort Piece, in the course of his evidence produced: (1) a statutory declaration made on 11 November 1970 by Mr F L Crow who as a surveyor was from 1905 to 1966 concerned with the firm of Crow Watkin & Watkin of Dorking first as his father's assistant, then as his partner and then after his death in 1937 as senior partner and whose firm acted as agent for successive owners of the Jayes Estate (the Mansion House of Jayes Park and lands being a little under 3,000 acres); (2) a vesting deed dated 1 March 1962 by which Mr R H Monier Williams and others as trustees and former statutory owners under a settlement arising under the will of C A Lee-Steere (he died 27 May 1940) conveyed to Mr G E Lee-Steere the Manor of Ockley and other lands being the Jayes Estate.

The Hill Fort Piece is delineated on plan No. 5 exhibited to the said declaration. Mr Crow says that Jayes Estate always included (among other lands) the Hill Fort Piece; although he particularly mentioned that this piece has been claimed by J D Kerr on behalf of Bray Settle Estates under the provisions of the Commons.

*Registered in
H.M. Land Registry*

The areas edged Red have no claim
to ownership and have not been
registered at H.M. Land Registry.

DLG



COMMONS REGISTRATION ACT 1965

Re: Holmbury Hill or Hurtwood Common,
Shere, Guildford District, Surrey

Ref. No.:- 236/U/20

This copy plan is page 2 of the
decision dated 18 December 1979
of the Commons Commissioner in this
Matter

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A B T I N G E

a. a. Bull-Filler



Registration Act 1965 but apart from this had never heard of any claim adverse to Mr Lee-Steere's title. As regards this claim, in the Ownership Section of this Register Unit, there is only one interest being of the ownership of John Dudley Kerr as surviving personal representative of the late Sir Jocelyn Bray tenant for life of the Bray Settle Estates; this registration does not include the Referred Part.

Mr Sills produced a letter dated 27 November 1970 from Osentons Chartered Surveyors, Guildford saying (as I understood from Mr Sills on behalf of Bray Settle Estates) that they had no claim to the lands therein mentioned which included the Hill Fort Piece.

On this evidence I am satisfied that Mr Lee-Steere is the owner of the Hill Fort Piece, and I shall accordingly in pursuance to section 8(2) of the Act of 1965 direct Surrey County Council as registration authority to register Mr Gordon Ernest Lee-Steere of Jayes Park, Ockley as the owner of that one of the two pieces ~~indicated~~ ^{line} on the plan being page 2 of this decision and thereon surrounded by a thick black line which is to the east and which is on such plan marked "Hill Fort".

In the absence of any evidence as to the ownership of the West Piece, I am not satisfied that any person is the owner and it will therefore remain subject to protection under section 9 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 18th — day of December 1979

a. a. Baxter Fuller

Commons Commissioner