



In the Matter of King Edward VIII  
Memorial Recreation Ground, Tatsfield,  
Tandridge D

DECISION

This reference relates to the question of the ownership of land described above, being the part of the land comprised in the Land Section of Register Unit No. CL.377 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 and which is not registered freehold under the Land Registration Acts.

Following upon the public notice of this reference no person claimed to be the freehold owner of the land in question or 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 7 November 1984. At the hearing Mrs A Williams, Solicitor, appeared on behalf of Tatsfield Parish Council, which claims ownership, and no other claimant appeared. The evidence in support of the claim was not available at the hearing, but documentary evidence has since been furnished.

The land in question with which this inquiry is concerned i.e. the part of CL.177 of which there is no registered owner and which I will refer to as the "unowned Land", is the <sup>southern</sup> ~~eastern~~ section of CL.377: the northern section is registered freehold under the Land Registration Acts. On the east and south the unowned land is bounded by Tatsfield green (not part of CL.377) which was conveyed to the Parish Council in 1976.

By a Conveyance dated 5 January 1911 the Post Master General conveyed to Samuel J Thomas for use as a public park or recreation ground a piece of land which forms the major portion of the unowned land. The same piece of land was in 1932 conveyed by S J Thomas to Godstone Rural District Council, and by a Conveyance dated 25 February 1984 it was conveyed by Tandridge District Council (successor authority to the Rural District Council) to Tatsfield Parish Council.

These Conveyances did not include a small area of the unowned land which adjoins the piece of land conveyed at its north east corner. In a Statutory Declaration made on 19 February 1985 by Mr R F Payne, Chairman of the Parish Council, Mr Payne states that this area is within the curtilage of the Memorial ground and an integral part of it; that it has for some 50 years been regarded as belonging to his Council and their predecessors in title without any adverse claim being made; and that for some years past the Council has arranged



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for the cleaning of the Memorial Ground including this small area, which is not physically divided from the remainder.

On this evidence I am satisfied that Tatsfield Parish Council is the owner of the unowned land. I shall accordingly direct the Surrey County Council, as registration authority, to register the Parish Council as the owner 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

6<sup>th</sup>

day of

March

1985

Commons Commissioner