



COMMONS REGISTRATION ACT 1965

Reference No 236/U/39

In the Matter of part of Hankley Common,  
Thursley and Elstead, Waverley District,  
Surrey

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DECISION

This reference relates to the question of the ownership of land being the north part comprising about 230.878 hectares, of Hankley Common, Thursley and Elstead, Waverley District being the land comprised in the Land Section of Register Unit No CL. 126 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 Hankley Common Golf Club claimed to be the freehold owner of the land in question and The Tunbridge Wells District Land Registry stated that a small part (very small at the northeast corner) is registered under the Land Registration Act 1925 under Title No SY389962. 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 12 January 1977. At the hearing Hankley Common Golf Club Limited ("the Claimant") was represented by Mr P F Stevens solicitor of Stevens and Bolton, Solicitors of Farnham.

Mr Stevens in the course of his evidence produced a conveyance dated 20 May 1943 made by Allnatt Limited to the Claimant and an examined abstract dated 1942 of the title of Allnatt Limited to Hankley Common. Mr Stevens said (in effect):- The land ("the Unit Land") comprised in this Register Unit is the north part of that shown on the 1943 conveyance plan with the possible exception of the very small part registered under Title No SY389962. The west part of the Unit Land is a golf course (including a Club House) now occupied by the Claimant; the east part, which is gorse, scrub, heather and sandhills, and which includes Yagden Hill, is let to the Ministry of Defence, the rent being paid to the Claimant.

On the evidence summarised above, I am satisfied that the Claimant is the owner of the Unit Land, except that comprised in the said Title No, and I shall accordingly direct the Surrey County Council under section 8(2) of the Act of 1965 as registration authority to register Hankley Common Golf Club Limited of Club House, Tilford, Farnham, Surrey as the owner of the land except the part registered at HM Land Registry under Title No SY389962.

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 14<sup>th</sup> day of January 1977

*a. a. B. Fuller*