



## COMMONS REGISTRATION ACT 1965

Reference No. 36/U/17

In the Matter of Parts of Netley Heath  
and Hackhurst Downs, Shere, Surrey

DECISION

This reference relates to the question of the ownership of land known as parts of Netley Heath and Hackhurst Downs, Shere being the part of the land comprised in the Land Section of Register Unit No. CL.194 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 Surrey County Council claimed to be registered at H M Land Registry as the owner of part of the land in question, Title No. SY 386127 and by a letter dated 20 August 1973 the assistant Land Registrar at the Tunbridge Wells District Land Registry provided information that other parts of the land in question were registered at the Land Registry.

I held a hearing for the purpose of inquiring into the question of the ownership of the land at Guildford on 25 March 1975. Mr. S.L. Campbell solicitor appeared for the Surrey County Council and no other person appeared. Whilst it is apparent from the plan with which I was provided that the major part of the land in question is Registered land, I am not satisfied that the whole of the land in question is registered.

In the absence of any evidence, such part of the land in question, if any, which is not "Registered Land" 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

4<sup>th</sup>

day of

April

1975

Commons Commissioner.