



In the matter of Staffhurst Wood, Limpsfield, Tandridge D

DECISION

This reference relates to the question of the ownership of parts of the land described above being the parts of the land comprised in the Land Section of Register Unit No. CL 420 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 or registered with freehold title under the Land Registration Acts.

The parts of the land, having no registered owner, with which this inquiry is concerned consist of 3 areas one (the north-east area) lying north and south-east of property called The Horns, one a small piece near Old Kiln on the western boundary of the land (the west piece) and the third (the south-east strip) a narrow strip on the south-east corner of the land.

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 several claimants, interested in one or other of the areas in question. Of these, Mr D A Young claimed ownership of the north-east area. This was part of the property comprised in a Conveyance dated 2 February 1951 by which the property was conveyed by Mr R H G Leveson Gower and others to D A Young and his father Arthur Young (now deceased).

The west piece was part of the land included in a Conveyance also dated 2 February 1951 by which some 3 acres of land were conveyed by Mr R H G Leveson Gower and others to Mr and Mrs F A Skinner, who now claim ownership.

There had been notifications of possible claims by Mr A J K Tause, by Mr J C H Garner and by Mr and Mrs H W Stevens, but no evidence was given or produced at the hearing in support of these claims.

On the evidence I am satisfied that Mr D A Young is the owner of the north-east area and that Mr and Mrs F A Skinner are the owners of the west piece, and I shall direct the Surrey County Council, as registration authority, to register them accordingly as such owners under section 8(2) of the Act of 1965. I am not satisfied that any person is the owner of the south-east strip, which 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

10 January 1985

*L. J. Morris Smith*

Commons Commissioner