



COMMONS REGISTRATION ACT 1965

Reference No. 236/U/128

In the Matter of Blindley Heath (part),
Godstone, Tandridge District, Surrey

DECISION

This reference relates to the question of the ownership of the part ("the Referred Land") hereinafter defined of the land which is known as Blindley Heath, Godstone, Tandridge District and which is the land comprised in the Land Section of Register Unit No. CL 15 in the Register of Common Land maintained by the Surrey County Council. Of the said land, a part, being about one third of that north of the Lingfield Road (B2020) is registered at HM Land Registry under Title No. SY 243085; another part on the Register map called the Cricket Ground is similarly registered under Title No. SY 285547; and another part (comparatively very small) to the west of The Lodge is similarly registered under Title No. SY 276235. The Referred Land is the remainder of the land in this Register Unit being land 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 Godstone Parish Council said (letter dated 9 August 1979) that they owned the land. No other 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 27 November 1979. At the hearing Godstone Parish Council were represented by Mr A T Sutton their clerk, and Mr John Barnard Hankey of Homers Cottage and Mr John Dinnis of Homers Cottage (there are two semi-detached cottages so called) attended in person.

Mr Sutton in the course of his evidence produced: (1) a conveyance dated 8 March 1950 by which Sir Peter McClintock Greenwell with the concurrence of his trustees by way of gift conveyed to the Parish Council first Godstone Green and Blindley Heath together containing about 85.923 acres as therein described and delineated on the plans annexed and secondly the Manor or Lordship of Godstone, (2) an abstract dated 1949 of the title of Sir P McClintock Greenwell as Lord of the Manor of Godstone to the common lands in the parish of Godstone Horne and Tandridge, commencing with a settlement dated 13 March 1911; (3) a letter dated 2 January 1979 from the Agent of the Sudbourne Hall Estate listing the various easements, wayleaves and grants of privilege granted by the Greenwell family to March 1950 over the commons and greens; and (4) a deed dated 12 December 1930 and made by Sir Bernard Fyfe pursuant to section 143 of the Law of Property Act 1925 in relation to (among other commons) Blindley Heath.

One of the plans annexed to the 1950 conveyance delineates the Land, and also the SY 285547 and SY 276235 lands. Mr Hankey and Mr Dinnis explained that they were only concerned with the part of the Referred Land opposite Dormers House (situated by Doctors Corner marked on the Register map) and did not oppose the claim of the Parish Council. On the above evidence I am satisfied that the Parish Council are the owners of the land, and I shall accordingly direct the Surrey County Council, as registration authority, to register Godstone Parish Council as the owners of the Referred Land under section 8(2) of the Act of 1965.



640

- 2 -

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 17th — day of December — 1979

a. a. Baden Fuller

Commons Commissioner