



COMMONS REGISTRATION ACT 1965

Reference No. 236/J/13

In the Matter of Kingston Road Recreation Ground,  
Leatherhead, Mole Valley District, Surrey

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DECISION

This reference relates to the question of the ownership of land known as Kingston Road Recreation Ground, Leatherhead, Mole Valley District being the land comprised in the Land Section of Register Unit No. VG. 96 in the Register of Town or Village Greens 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 no person claimed to be the freehold owner of the land in question and no 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 25 February 1976. At the hearing Mole Valley District Council were represented by Mr M J Batey solicitor with the Council.

Mr Batey produced a copy of the Leatherhead Inclosure Award dated 11 May 1865 and of the plan therein referred to, both in 1865 certified by the Inclosure Commissioners as true copies. The Award contained an allotment "unto the Churchwardens and Overseers of the Poor of the Parish of Leatherhead ALL THAT piece or parcel of land numbered 36 on the said map containing Four acres to be held by them and their successors In Trust as a place for Exercise and Recreation for the Inhabitants of the said Parish and neighbourhood...".

Mr Batey identified the land numbered 36 on the plan with the land comprised in this Register Unit. The land is now and has for many years been maintained as a recreation ground by the Mole Valley District Council and their predecessors the Leatherhead Urban District Council. The land is in a residential area and is much used.

On the evidence outlined above I am satisfied that the District Council as successors of the Churchwardens and Overseers are the owners of the land, and I shall accordingly direct the Surrey County Council, as registration authority, to register Mole Valley District Council as the owners of the land 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 27<sup>th</sup> day of February 1976

a. a. Baden Fuller

Commons Commissioner