

In the Matter of Rips Common, Limpsfield,  
Tandridge District, Surrey

DECISION

This reference relates to the question of the ownership of part ("the Referred Part") of the land which is known as Rips Common, Limpsfield, Tandridge District and which is the land comprised in the Land Section of Register Unit No. CL516 in the Register of Common Land maintained by the Surrey County Council. The said land is a strip a little over 350 yards long south of and adjoining the A25 road. The greater part is registered at HM Land Registry under the Land Registration Acts 1925 to 1966 under Title nos. SY375622, SY379286, SY379528, SY470820, SY257030, SY41662, SY378133, SY390494, ~~SY378133, SY390494~~, SY320485, and SY368046. The Referred Part is the part of the said land which is not so registered and of which no person is registered under section 4 of the Commons Registration Act 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 Referred Part at Guildford on 6 November 1978. At the hearing Mr William Ferdinand Jacob Van Notten of Wood Lea was represented by Mrs P Wackett clerk with Boodle Hatfield & Co Solicitors of London.

Mrs Wackett produced a transfer dated 17 February 1978 by which Mrs J F Aisher transferred land in Title no. SY470820 to Mr Van Notten, being that known as Wood Lea as comprised in a conveyance dated 4 September 1950. It seemed clear that Mr Van Notten's land is not included in the Referred Part, so I am not concerned with it.

As I read the maps provided for me by HM Land Registry, the Referred Part is a very small part of the whole: (1) a small triangular area about 25 yards long at the south-west end, (2) a strip (probably a track) between Rough Woods and Woodlea) and (3) possibly a narrow strip at the north end by the A25 road. In the absence of any evidence about the Referred Part, I am not satisfied that

any person is the owner of it and it 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 28<sup>th</sup> day of November 1978

A. A. Baden Fuller

Commons Commissioner