



In the Matter of Three Pieces of Land near  
Holmbury St Mary (Part of Hartwood), Shere,  
Surrey.

DECISION

This reference relates to the question of the ownership of three pieces of land near Holmbury St Mary (Part of Hartwood), Shere, being the land comprised in the Land Section of Register Unit No. CL 348 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 no person claimed to be the freehold owner of the land in question and no one 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 15 June 1977.

At the hearing the Shere Parish Council was represented by Mr P F Williams, its Chairman, and the Trustees of the Holmbury St Mary Women's Institute by Mr W F Waters, one of their number.

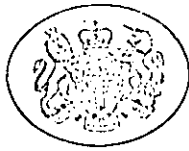
It will be convenient to deal with the three pieces of land comprised in the Register Unit in topographical order from east to west.

The easternmost area was the subject of a conveyance made 9 December 1953 between (1) Sir Jocelyn Bray (2) Guy Wolfe Cotto and John Douglas Kerr (3) Shere Parish Council, whereby the land was conveyed to the Parish Council.

The area next to the west was the subject of an indenture made 11 November 1925 between (1) Reginald Arthur Bray (2) Shere Parish Council, whereby the land was conveyed to the Parish Council for the exercise and recreation of the inhabitants of the parish.

The westernmost area was the subject of an indenture made 11 November 1925 between (1) Reginald Arthur Bray (2) Reginald Olliver Warren and Bertram Reginald Warren (3) Sir Nicholas Edwin Waterhouse, John Howard Glover, Frederick Bonteel and Revd Arthur Charles Hayes, whereby the land was conveyed to the parties of the third part as trustees for the Women's Institute. By an order of the Charity Commissioners made 22 February 1966 the land was vested in the Official Custodian for Charities.

On this evidence I am satisfied that the Parish Council and the Official Custodian for Charities are the owners of the respective pieces of land, and I shall accordingly direct the Surrey County Council, as registration authority, to register the Parish Council and the Official Custodian of Charities as the owners of the respective pieces of land under section 8(2) of the Act of 1965.



235/1/59

542

I am required by regulation 30(1) of the Customs 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 5th day of July 1977

Chief Customs Commissioner