



In the Matter of Land at Compton Heath (parts)  
Guildford B

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DECISION

This reference relates to the question of the ownership of land described above being the parts of the land comprised in the Land Section of Register Unit No. CL 294 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 Major J R More-Molyneux claimed to be the freehold owner of part of the land in question and no other person claimed to have information as to its ownership.

I held a hearing for the purpose of inquiring into the question of the ownership at Guildford on 21 June 1983.

At the hearing Mr N Shattock of the firm of Stevens and Bolton, Solicitors, appeared on behalf of the claimant.

The land comprised in this Register Unit consists of two areas, physically separated; of these, it is the more easterly area ("the E piece"), which lies on the northern side of the wooded area Hurt Hills, that is claimed. Mr Shattock produced a Mortgage dated 4 February 1956, by which the claimant mortgaged Lozely Park including the E piece to the NFI Mutual Insurance Society Ltd. This was followed by three Further Charges of the same property to the Society in 1960, 1966 and 1972, and ultimately there was a Deed dated 13 August 1981 by which the Mortgage and Charges were released and the property surrendered to the claimant.

On this evidence I am satisfied that the claimant is the owner of the E piece and I shall accordingly direct the Surrey County Council, as registration authority, to register him as the owner under section 8(2) of the Act of 1965. The remaining part or parts of the Unit land of which there is no registered owner, as to which I am not satisfied that there is any owner, will 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

7 September

1983

*L. J. Morris Smith*  
Commons Commissioner