



COMMONS REGISTRATION ACT 1965

Reference No 236/J/57

In the Matter of Land at The Street,
Puttenham, Guildford Borough, Surrey

DECISION

This reference relates to the question of the ownership of land at The Street, (the War Memorial Land), Puttenham, Guildford Borough being the land comprised in the Land Section of Register Unit No CL. 317 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 Puttenham Parish Council in a letter dated 17 December 1975 claimed to be the owner of the land in question (or at least the greater part of it). No other person claimed to be the freehold owner of the land 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 13 January 1977. At the hearing Puttenham Parish Council were represented by Mr R H Wallis their chairman.

Mr Wallis, who has been chairman for the last 9 years, in the course of his evidence produced a conveyance dated 11 December 1920 by which Mr F F Smallpiece conveyed to the Parish Council land "for the benefit of the inhabitants of the said Parish of Puttenham and to be maintained by the said Council for ever as a Memorial of the inhabitants of Puttenham who lost their lives in the recent Great War". Mr Wallis identified the land so conveyed with the land comprised in this register unit; it is still a war memorial applicable not only to the 1914-1918, but also to the 1939-45 War. Whiteheads, Estate Agents of Farnham, who act for the Trustees of the late Mr F W Smallpiece, in a letter dated 2 January 1976 stated that the land in question does not form part of their Clients' property and suggested it might belong to the Church.

The land shown on the 1920 conveyance plan corresponds closely to that shown on the Register map, accordingly on the evidence summarised above, 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 Puttenham Parish Council as the owner 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 14/1 - day of January 1977

a. a. Boden Fuller