



In the Matter of land in Avelay Lane,
The Bourns, Farnham, Waverley D

DECISION

This reference relates to the question of the ownership of land in Avelay Lane, The Bourns, Farnham, being the land comprised in the Land Section of Register Unit No. CL 69 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 Surrey County Council claimed to be the freehold owner 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 of the land at Guildford on 13 February 1979.

Miss P J Fishwich appeared for the Surrey County Council and Mr A R Hart appeared for Waverley District Council and he produces extracts from the Farnham Manor Inclosure Award of 1857 whereby the land in question was allotted to the Surveyors and Highways and accepted that Surrey County Council and the present Highway Authority is the owner of the land in question.

On this evidence I am satisfied that Surrey County Council is the owner of the land, and I shall accordingly direct the Surrey County Council, as registration authority, to register Surrey County Council as the owner of the land under section 3(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 17th day of March 1979


Commons Commissioner