



COMMONS REGISTRATION ACT 1965

Reference No. 236/U/117

In the Matter of Littlefield Common,
(part on southeast side), Worplesdon,
Guildford District, Surrey

DECISION

This reference relates to the question of the ownership of part ("the Referred Part") hereinafter defined of the land which is part of that known as Littlefield Common (part on southeast side) Worplesdon, Guildford District and which is land comprised in the Land Section of Register Unit No. CL.464 in the Register of Common Land maintained by the Surrey County Council. The Referred Part is the part of the said land which is not registered at HM Land Registry under the Land Registration Acts 1925 to 1966 under Title no. SY164738 and 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 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 28 November 1979. At the hearing Surrey County Council were represented by Mr B Cotter, a principal solicitor with the Council.

The land ("the Unit Land") in this Register Unit contains according to the Register 0.089 hectares (0.22 of an acre). It is to the south of the Guildford-Aldershot road (A323) a short distance to the west of the Holly Lane-Coomb Lane junction.

Mr J D Culverwell who is a chartered surveyor employed by the Surrey County Council in their County Valuer and Estate Surveyor's Department and who has since January 1976 been responsible for the day to day management of some of their Commons (including Littlefield Common) in the course of his evidence said (in effect):- The land in Title no. SY164738 comprises a large number of pieces of common land (altogether about 2,500 acres) which the County Council acquired from the Earl of Onslow. This land included Littlefield Common as containing 42.3 acres. The part of the Unit Land included in the SY164738 land (being nearly all the Unit Land) is part of the piece expressly (by reference to a plan) so acquired. The Referred Part is a comparatively very small tract of grass separated from the rest of Littlefield Common by a footpath; beyond this footpath is more of the SY164738 land, and then after a very short distance the A323 road. The Referred Part is grass like the adjoining parts of Littlefield Common and could not sensibly be regarded as not belonging to Littlefield Common or as being in different ownership.

On this evidence, I conclude that the Referred Part, although not delineated on any plan of the land acquired from the Earl of Onslow must have been intended to have been included in the conveyance by him; and additionally or alternatively that the County Council as being in possession of the rest of Littlefield Common must also be regarded as being in possession of the Referred Part as owners. I am therefore satisfied that the County Council are the owners of the Referred Part, and I shall accordingly pursuant to Section 8(2) of the Act of 1965 direct the Surrey County Council as registration authority to register themselves Surrey County Council as the owners of the Referred Part.



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 31st — day of March — 1980.

a. a. Baden Fuller

Commons Commissioner