



In the Matter of Milford Heath, Witley
Waverley D.

DECISION

This reference relates to the question of the ownership of land described above being the part of the land comprised in the Land Section of Register Unit No. VG.105 in the Register of Town or Village Greens maintained by the Surrey County Council of which no person is registered as owner under section 4 of the Commons Registration Act or under the Land Registration Acts. This part I will refer to as "the land in question"

Following upon the public notice of this reference the Witley Parish Council claimed to be the freehold owner of the land in question, 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 in question at Guildford on 29 November 1983. At the hearing, Mrs P C Penny, Deputy Clerk to the Parish Council, appeared on its behalf.

By a Conveyance made 7 September 1946 ~~made~~ between Mary Glennie (1) Trustees of a Settlement (2) and Witley Parish Council (3), property which included the ~~land~~ land in question was conveyed to the Parish Council. Since then a number of easements over the property have been granted by the Parish Council.

On this evidence I am satisfied that the Parish Council is the owner of the land in question, and I shall accordingly direct the Surrey County Council, as registration authority, to register it as the owner under section 8 (2) of the Act of 1965.

I am required by regulation 33 (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 14 December 1983

L. J. Morris Smith

Commons Commissioner.