



In the Matter of Part of Frensham Common
(including Frensham Little Pond), Tilford and
Frensham Waverley B

DECISION

This reference relates to the question of the ownership of part of the land described above, being the part of the land comprised in the Land Section of Register Unit No. CL. 430 in the Register of Common Land maintained by the Surrey County Council of which no person is registered as owner under section 4 of the Commons Registration Act 1965 or under the Land Registration Acts. The greater part of the unit land is registered freehold under the Land Registration Acts, and this inquiry is concerned only with the remainder ("the land in question").

Following upon the public notice of this reference the National Trust 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 land in question at Guildford on 16 January 1985, at which the National Trust was represented by Mrs G A Shipp, and no other claimant was present.

The land in question, which is the area lying north and south of Chuters Cottage, was conveyed to the National Trust in 1945, the Conveyance being dated 30 April 1945 and the Vendor W. D. A. Wilkinson.

On this evidence I am satisfied that the National Trust is the owner of the land in question and I shall accordingly direct the Surrey County Council as registration authority, to register the National Trust as the owner 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

20th

day of

February

1985

L. J. Morris Smith

Common commissioner