



In the Matter of Puttenham Heath, Guildford B

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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. CL 191 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 no person claimed to be the freehold owner of the part 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 at Guildford on 21 June 1983.

At the hearing Mr G Fowler, a member of Puttenham Parish Council, appeared on its behalf.

The greater part of the land comprised in the Register Unit is registered with freehold title under the Land Registration Acts and this inquiry is not concerned with the part so registered. Mr Fowler told me that the Parish Council wished to claim ownership of the cemetery which is on the Unit land but it appears that the cemetery is within the area of the part registered under the Land Registration Acts.

As to the part of the Unit land of which there is no owner registered under those Acts or under section 4 of the 1965<sup>Act</sup>, there was no appearance by any claimant, and in the absence of any evidence I am not satisfied that any person is the owner. It will therefore remain subject to protection under section 9 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

7 September 1983

*L. J. Morris Smith*

Commons Commissioner