



In the Matter of Shepherd and Flock Green,  
Farnham, Waverley D

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DECISION

This reference relates to the question of the ownership of land described above being the land comprised in the Land Section of Register Unit No. VG 16 in the Register of Town or Village Greens 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 land in question ("the Unit land") or to have information as to its ownership.

I held a hearing for the purpose of inquiring into the question of the ownership of the Unit land at Guildford on 29 November 1983.

At the hearing ownership was claimed by Waverley District Council ("Waverley") which was represented by Miss Deacon, Solicitor.

The Unit land, a small area of some 0.42 acres, was the subject of the Farnham Inclosure Award of 1861, by which it was allotted to the Churchwardens and Overseers of the Parish of Farnham as a place of recreation for the local inhabitants. Subsequently to the Local Government Acts 1885 and 1894, Farnham Urban District Council became the successor Authority and has itself been succeeded by Waverley.

It appears that part of the Unit land is, or may be, now registered freehold under the Land Registration Acts and this inquiry is not concerned with the ownership of any part so registered. Subject to this, I am satisfied that Waverley is the owner of the Unit land, and I shall accordingly direct the Surrey County Council, as registration authority, to register Waverley 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 *14 February* 1984

*L. J. Morris Smith*  
Commons Commissioner