



In the Matter of Shortfield Common, Frensham,
Waverley D

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. CL 230 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 Frensham Parish Council claimed to be the freehold owner of the land in question ("the Unit land") 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 of the Unit land at Guildford on 4 October 1983.

At the hearing the Parish Council was represented by Mrs Wheller, its Clerk.

Evidence was given by Mrs Wheller and Mr R T Campbell. For some years the Council has expended money on pollarding and lopping the trees on the Unit land and for the cutting of the grass: estimates and bills for this expenditure during the years 1977 to 1983 were produced.

On this evidence as to acts of ownership I am satisfied that the Parish Council is the owner of the Unit land, and I shall accordingly direct the Surrey County Council, as registration authority, to register Frensham Parish Council as the owner of the land 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

21 October

1983

L. J. Morris Smith
Commons Commissioner