



## COMMONS REGISTRATION ACT 1965

Reference No 236/U/118

In the Matter of Stringer's Common--  
Britten's Pond, Worplesdon, Guildford  
District, Surrey

DECISION

This reference relates to the question of the ownership part ("the Referred Part") of the land which is known as Stringer's Common-Britten's Pond, Worplesdon, Guildford District and which is the land comprised in the Land Section of Register Unit No. CL 466 maintained by the Surrey County Council. The Referred Part means the part of the said land which is not registered at HM Land Registry under Title No SY 164738 and 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 and no 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 at Guildford on 28 November 1979. At the hearing Surrey County Council were represented by Mr B Cotter, a Principal Solicitor with the Council.

The land ("the Unit Land") in this Register Unit contains (according to the Register) 2.161 hectares (5.34 acres). In a certificate dated 8 July 1974 Tunbridge Wells District Land Registry certified that all the land in this Register Unit except a very narrow strip along and within the north boundary is registered under Title No SY 164738 and that the said strip is not registered; however in a certificate dated 9 April 1976 it is certified that all the land is registered under the said Title No.

Mr J D Culverwell who is a chartered surveyor employed by the County Council in the County Valuer and Estates Surveyor's Department and who is responsible for the day to day management of these commons (including Whitmoor Common to the north and Stringer's Common to the south) in the course of his evidence said (in effect):- The land in Title No SY 164738 is in the registered ownership of the Surrey County Council, being part of a large number of Commons (about 2,500 acres) acquired by the County Council from the Earl of Onslow. The strip shown in the 1974 certificate map, is bounded by a fence on the north and the water edge of the Pond on the south; the land to the east and to the south of the strip (part of the Unit Land) is within the said Title No. The land to the west belongs to the County Council under the conveyance by which the said Onslow gift was made. The strip is really part of the land owned by the County Council, because they manage the Pond (collects litter etc), and he and the Warden have to pass over the strip in order to get to and from land owned by the County Council.

Having regard to the conflict between the 1974 and 1975 certificates, it is not clear whether the Referred Park as I have defined it has any existence at all. But if does, on the evidence summarised above, I conclude that it and the rest of the Unit Land are all one piece in the ownership of the County Council. I am

in the Register of Commons Land



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therefore satisfied that the County Council are the owners of the Referred Part and I shall accordingly pursuant to section 8(2) of the Act of 1965 direct the Surrey County Council as registration authority to register themselves as the owners of the part (if any) of the land in this Register Unit which is not registered at HM Land Registry under Title No SY 164738 and of which no person is registered under section 4 of the said Act as the owner.

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 3<sup>rd</sup> — day of January 1980 ~~1979~~

a a. Baden Fuller

Commons Commissioner