



COMMONS REGISTRATION ACT 1965

Reference No 236/U/15

In the Matter of The Green Hersham  
Walton and Weybridge. Elmbridge BC

This reference relates to the question of the ownership of land known as The Green, Hersham, Walton and Weybridge Elmbridge BC being the land comprised in the Land Section of Register Unit No. VG113 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 Elmbridge BC 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 ownership of the land at Guildford on 11 November 1976.

Mr R W Kirby Senior Assistant Solicitor to the Elmbridge BC appeared on behalf of the Council and produced an order dated 10 November 1903 made by the Board of Charity Commissioners for England and Wales approving and establishing a Scheme constituting a Charity under the title The *Pipers* Allotments Recreation Grounds entering Hersham Green (and other lands) was vested in Walton upon Thames UDC in trust for the above mentioned Charity. Elmbridge BC is the successor to Walton upon Thames UDC.

Mr G L Meade who was employed by Walton and Weybridge UDC from 1950 to 1974 and is now employed as Chief Assistant Engineer by Elmbridge BC gave evidence that the land in question has at all times since 1950 been known as Hersham Green, and administered in accordance with the trusts *declared* by the Said Order.

On this evidence I am satisfied that Elmbridge Borough Council is the owner of the land, and I shall accordingly direct the Surrey County Council, as registration authority, to register Elmbridge Borough 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 this 17<sup>th</sup> day of November 1976

C A Lettle

Commons Commissioner