



In the Matter of Dunsfold Common and Dunsfold  
Green, Waverley D

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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 162 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 and which is not registered freehold under the Land Registration Acts.

Following upon the public notice of this reference Waverley District Council 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 in question at Guildford on 23 June 1983.

At the hearing Miss L Leeson, an officer of the District Council, appeared on its behalf. The District Council claims ownership of two sections of the common land, the first being land comprised in a Deed dated 31 December 1948 made between George R H Nugent and Hambledon Rural District Council, and the second land comprised in a Deed dated 17 October 1949 made between Joan Dixon and R P C Mellish (1) and Hambledon RDC (2). One strip of the common land appears to have been included in both Deeds. Waverley District Council is the statutory successor of the Rural District Council, and on this evidence I am satisfied that it is the owner of the parts of the land in question which are comprised in the two Deeds. I shall accordingly direct the Surrey County Council, as registration authority, to register as the owner of those parts under section 8(2) of the Act of 1965. The remainder of the land in question (not including the parts registered under the Land Registration Acts) will 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

21 October

1983

*L. J. Morris Smith*

Commons Commissioner