



COMMONS REGISTRATION ACT 1965

Reference No. 36/U/10

In the Matter of Merrow Downs, Guildford
and West Clandon, (Guildford Borough, Surrey)

DECISION

This reference relates to the question of the ownership of part ("the Referred Part") of the land ("the Unit Land") which is known as Merrow Downs, Guildford and West Clandon, Guildford Borough and which is the land comprised in the Land Section of Register Unit No. CL. 3 in the Register of Common Land maintained by the Surrey County Council. The Referred Part is the part of the Unit Land which is comprised neither in HM Land Registry Title No. SY361865 nor in HM Land Registry Title No. SY352622 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 24 February 1976. At the hearing, Guildford Borough Council were represented by Mr D Watts solicitor their clerk.

The Unit Land is an irregularly-shaped piece of land having a length from east to west of about $1\frac{1}{2}$ miles and a width from north to south varying between about 300 yards and $\frac{1}{2}$ mile. The Newlands Corner Road crosses the east part of the Unit Land; the part east of this Road is less than about $\frac{1}{30}$ th of the whole. The land in Title No. SY352622 comprises a triangular piece east of and adjoining the Newlands Corner Road and situated at the south end of the part of the Unit Land east of the Road, and a narrow strip ("the Registered Strip") the west end of which is this triangular piece and the east end of which is the boundary of the Unit Land by the Newlands Corner Hotel. The land in Title No. SY361865 comprises all the rest of the Unit Land except a narrow strip which is north of and adjoins the Registered Strip and which is the part of the Unit Land hereinbefore called "the Referred Part".

The area of the Referred Part when compared with the area of the Unit Land is very small indeed, perhaps practically negligible. Mr Watts produced the Land Certificate for Title No. SY361865, and this showed Guildford Borough Council to be the owners of all the land in this Title No. I have no evidence of the ownership of the Referred Part.

In the absence of any evidence I am not satisfied that any person is the owner of the land and it will therefore be subject to protection under section 9 of the Act of 1965.



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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 4th day of March --

1976

a. a. Baden Fuller

Commons Commissioner

