



In the Matter of Recreation Ground, Hale,
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. VG 15 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 no person claimed to be the freehold owner of the land in question ("the Unit land") or 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 29 November 1983.

At the hearing, Miss Deacon, Solicitor of Waverley District Council ("Waverley") appeared on its behalf. Waverley is claiming ownership.

The Unit land, according to the Register, is 8.08 acres in area. It comprises two adjoining pieces of land both comprised in the Farnham Inclosure Award of 1861 and numbered 224 (of some 2 acres) and 225 (of 6 acres). The two are the subject of a Scheme made by the Charity Commissioners on 2 February 1983, by virtue of which Waverley is the Trustee and the ownership of No. 225 vested in Waverley. By an earlier Scheme of the Charity Commissioners dated 10 March 1916 the ownership of No. 224 was vested in Farnham Urban District Council, to which Waverley is successor Authority.

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

14 February

1984

L. J. Morris Smith

Commons Commissioner