



COMMONS REGISTRATION ACT 1965

Reference No. 236/U/202

In the Matter of Recreation Ground, Pot Common
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.74 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 Elstead Parish Council claimed to be the freehold owner of the land in question ("the unit land") 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 29 November 1983.

At the hearing Mr R S Taylor, Solicitor, appeared on behalf of the Parish Council.

The Unit Land comprised two pieces of land which were the subject of the Elstead Inclosure Award dated 31 March 1859. One piece numbered 95 was allotted to the Churchwardens and Overseers of Elstead Parish as a place of recreation for the local inhabitants and is now by virtue of the Local Government Act 1894 vested in the Parish Council. The other piece numbered 94 became vested in Hambledon RDC, which by a Conveyance dated 1 March 1910 conveyed it to Elstead Parish Council as an open space.

On this evidence I am satisfied that Elstead^a Parish Council is the owner of the unit land, and I shall accordingly direct the Surrey County Council, as registration authority, to register the Parish Council 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 this

21st

day of

February

1984

C. J. Morris Smith
Commons Commissioner