



In the Matter of The Cricket Ground, Frensham,  
Waverley D

---

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 227 in the Register of Common Land maintained by the Surrey County Council of which no person is registered as owner under section 4 of the Commons Registration Act 1965 or under the Land Registration Acts.

Following upon the public notice of this reference no person claimed to be the freehold owner of the land in question 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 land at Guildford on 29 November 1984.

At the hearing ownership of the land in question was claimed by Frensham Parish Council, which was represented by Mr D W Bone, a member of the Council.

Part of the Cricket ground is registered under the Land Registration Acts, and this inquiry is concerned only with the remaining part ("the land in question"). By an Inclosure Award of 15 October 1855, the land in question was allotted to the Churchwardens and Overseers of the Poor of Frensham Parish (subject to the award as a public footway of the path running from the SE to the NW) as a place of recreation for the local inhabitants. By virtue of the Local Government Act 1894 the property vested in the Parish Council, which I am satisfied is the owner of the land in question.

I shall accordingly direct the Surrey County Council, as registration authority, to register Frensham Parish Council as the owner of the land in question 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 21 February 1984

*L. J. Morris Smith*

Commons Commissioner