



In the Matter of the Ten Acre, Boundstone and  
Little Switzerland, Lower Bourne, Waverley B

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. CL.457 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.

Following upon the public notice of this reference Waverley Borough Council claimed to be the freehold owner of the land in question.

I held a hearing for the purpose of inquiring into the question of the ownership of the land at Guildford on 16 January 1985. At the hearing, the Borough Council was represented by Miss L M Leeson, Countryside Officer, and no other claimant appeared.

The land in question consists of two areas, the Ten Acre and Little Switerland, which are some 1½ miles apart. There are no rights of common registered. As regards Ten Acre, since 1974 when the Borough Council became successor authority to Farnham U D C, this site has been managed by the Borough Council which has maintained a ranger patrol to protect it and inspect the trees, and which has kept litter cleared and erected posts to prevent access by vehicles. As regards Little Switzerland, the only evidence was to the effect that it was visited by the ranger patrol.

The evidence as regards Ten Acre shows, in my view, sufficient acts of ownership to establish the claim; but this is not so in regard to Little Switzerland, as to which I am not satisfied that any person is the owner. In the result, I shall direct the Surrey County Council, as registration authority, to register the Borough Council as the owner of the Ten Acre under section 8 (2) of the Act of 1965. Little Switzerland will remain subject to protection under section 9 of the Act.

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

20<sup>th</sup>

day of

February

1985

*h. f. Morris Smith*

Commons Commissioner