

In the Matter of Upper Woodcote Green  
(east of Woodcote End), Epsom and  
Ewell Borough, Surrey

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DECISION

This reference relates to the question of ownership of part ("the Referred Land") of the land which is known as Upper Woodcote Green (east of Woodcote End), Epsom and Ewell Borough and which is the land comprised in the Land Section of Register Unit No CL 358 in the Register of Common Land maintained by the Surrey County Council. All of the said land except a small area at its south-east corner is registered at HM Land Registry under the Land Registration Acts 1925 to 1966 under Title No SY 177656. The Referred Land is the said small area and of it 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 7 November 1978. At the hearing Epsom and Ewell Borough Council were represented by Mr J P Flynn a solicitor in their employ.

Mr Flynn said that the Council could give no information about the ownership of the Referred Land.

In the absence of any evidence I am not satisfied that any person is the owner of the Referred Land and it will therefore remain subject to protection under Section 9 of the Act of 1965.

I am required by regulation 30(1) of the Commons Commissioners Regulations 1965 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 28<sup>th</sup> day of November 1978

*one B. A. F. L. L.*

Commons Commissioner