



COMMONS REGISTRATION ACT 1965

Reference No.204/D/14

In the Matter of The Common,  
Great Wilbraham, Cambridgeshire (No.3).

DECISION

This dispute relates to the registration at Entry No.1 in the Rights section of Register Unit No.CL 2 in the Register of Common Land maintained by the former Cambridgeshire and Isle of Ely County Council and is occasioned by Objection No.1 made by Mrs S.O.Bailey and noted in the Register on 29th January 1969.

I held a hearing for the purpose of inquiring into the dispute at Cambridge on 23rd October 1975. The hearing was not attended by any person entitled to be heard.

The Objector was at the time when she made the Objection a resident in Great Wilbraham. She has since sold her house to Mrs Betty Ford, who has intimated in a letter addressed to Mr Peter Soar, solicitor for Mr K.Goryn, the applicant for the registration, that she does not object to the registration.

A notice of the hearing was sent to the Objector, but was returned by the Post Office marked "Gone Away". However, some intimation of the hearing must have reached her, since she wrote from an address in Devon to the Clerk of the County Council regarding the case on 18th October 1975. It appears from this letter that she still objected to the registration on the ground that there is no mention of a right of common in the abstract of title relating to Mr Goryn's property known as 7 Frog End.

In addition to the registration which is the subject of this dispute, Mr Goryn applied for the registration of a similar right in respect of another property known as 9 Frog End. It was suggested by a member of the Great Wilbraham Parish Council that it was possible that Mr Goryn owned two halves of what had been formerly a single property and that he had registered the whole right attached to the single property in respect of each half.

This, however, was speculation unsupported by evidence. In the absence of any evidence in support of the Objection, I shall treat the registration as unopposed, and I accordingly confirm it.

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 14<sup>th</sup> day of November 1975

  
 Chief Commons Commissioner