



COMMONS REGISTRATION ACT 1965

Reference No. 236/D/208

In the Matter of Gooserye Common (part of Whitmoor Common), Worplesdon, Surrey

DECISION

This dispute relates to the registrations at Entry Nos 1 to 4 in the Rights Section of Register Unit No. CL.301 in the Register of Common Land maintained by the Surrey County Council and is occasioned by Objections Nos 261 and 443 made the former Surrey County Council, and noted in the Register on 21 September 1970.

I held a hearing for the purpose of inquiring into the dispute at Guildford on 26 April 1979. The hearing was attended by Mr P F Myers, Solicitor, on behalf of the Surrey County Council, and by Mr J A Fox, the applicant for the registration at Entry No. 2.

Mr Fox has sold his land. Mr Myers informed me that he had agreed with the purchaser that the registration at Entry No. 2 should be confirmed in so far as it related to the pasturing of one horse or pony. I therefore confirm this registration with the following modifications, namely, the substitution of the word "pasture" for the word "herbage" and the deletion of the words "together with the right of estovers and the right of turbary".

There was no appearance by or on behalf of any of the applicants for the other registrations, but Mr Myers produced documents signed by or on behalf of the applicants for the registrations at Entry Nos. 3 and 4, on the basis of which I refuse to confirm each of those registrations. Mr Myers informed me that Mr R Whitley Strong, the applicant for the registration at Entry No. 1 had died. In the absence of any appearance by anyone claiming to be Mr Whitley Strong's successor in title, I refuse to confirm the registration at Entry No. 1.

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 17th day of May 1979

Chief Commons Commissioner

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