



COMMONS REGISTRATION ACT 1965

Reference No. 256/D/365

In the Matter of Land to the West and
South of the Cricket Ground at Frensham

DECISION

This dispute relates to the registration at Entry No 1 in the Rights Section of Register Unit No. CL.439 in the Register of Common Land maintained by the Surrey County Council and is occasioned by Objection No. 72 made by S B Beavers and noted in the Register on 1 May 1970.

The hearing originally held on 20 January 1981 was adjourned, I held the adjourned hearing for the purpose of inquiring into the dispute at Guildford on 3 March 1981. The hearing was not attended by any person entitled to be heard but a letter dated 23 February 1981 had been received from the Solicitors to the successors of Mrs D E C Wylie the applicant for the registration at Entry No 1 in the Rights Section. The writers stated that their clients were not in a position to prove the existence of the rights claimed and that they had been instructed not to proceed in the matter.

In these circumstances I refuse to confirm the registration.

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 24th day of March 1981

L. J. Morris Smith

Commons Commissioner