

In the Matter of Lower Halliford Green
and Windmill Common, Sunbury on Thames,
Spelthorne Borough, Surrey

DECISION

These disputes relate to the registrations at Entry No 1 in the Land Section and at Entry No 1 in the Rights Section of Register Unit No CL 44 in the Register of Common Land maintained by the Surrey County Council and are occasioned by Objection No 196 made by the said Council and noted in the Register on 10 September 1970.

The registration in the Land Section was made in consequence of the registration in the Rights Section made on the application of Mr J C Slagg of a right attached to The Lodge, Church Road to graze 6 beasts. In the Land Section there is a note of an application made by Sunbury on Thames Urban District Council.

Mr Slagg's solicitors notified the Clerk of the Commons Commissioners that he died on 17 June 1976. In a consent dated 20 April 1978 and signed by or on behalf of the executors of Mr Slagg, Spelthorne Borough Council and Surrey County Council, the Commons Commissioner is requested to confirm the land and rights registrations with the exclusion from the Common of the area coloured pink on the attached plan; such plan (the same as that attached to the Objection) shows coloured pink a strip 10 ft wide and 245 ft long adjoining Walton Bridge Road and running along and within the west boundary of the part of the registered land known as Windmill Common.

I am satisfied that I can treat the said consent as coming within Regulation 31 (decision by consent without a hearing) of the Commons Commissioners Regulations 1971, not only because the person signing the consent confirmed that there was no other person entitled to be heard, but also because I held a hearing for the purpose of inquiring into the disputes at Guildford on 7 November 1978 and nobody attended.

I am willing to give a decision in accordance with the terms set out in the said consent, and I accordingly confirm the registration in the Land Section with the modification that there be removed from the Register the area coloured pink on the said plan, and I confirm the registration in the Rights Section without any modification save only that which is necessarily consequential on the removal of the said area from the said Land Section registration.

Dated this 28th day of November 1978

A. A. Baden Fuller

Commons Commissioner