



COMMONS REGISTRATION ACT 1965

Reference Nos. 236/D/536-539
236/D/540

In the Matter of Misbrooks Green,
Capel

DECISION

These disputes relate to the registrations at Entry No. 1 in the Land Section and Entry No. 1 in the Rights Section of Register Unit No. CL 365 in the Register of Common Land maintained by the Surrey County Council and at Entry No. 1 in the Land Section of Register Unit No. VG 59 in the Register of Town or Village Greens maintained by the Council. They are occasioned by the conflict between the Registrations and also as regards the Entries in the Sections of CL 365 by Objection No. 655 made by Surrey County Council, and noted in the Register on 1 August 1972.

I held a hearing for the purpose of inquiring into the disputes at Dorking on 9 June 1981. The hearing was attended by Mr B Cotter, Solicitor, of Surrey County Council. The CL registrations were made on the application of Mrs I M Bremner, who did not appear. The VG registration was made on the application of Capel Parish Council, which was not represented but had written to support that registration. Objection No. 655 relates to parts of the land claimed to be in the nature of highway and the VG registration had already been modified to meet this Objection. Mr Cotter was content accordingly that the VG registration be confirmed and the CL registration cancelled. In these circumstances I confirm the registration in the VG Land Section and I refuse to confirm the CL registrations.

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

13th

day of

July

1981

L J Morris Smith
 Commons Commissioner