



## COMMONS REGISTRATION ACT 1965

Reference Nos: 236/D/331 to 334  
inclusiveIn the Matter of Shalford Common  
(part), Shalford, Guildford District,  
SurreyDECISION

These disputes relate to the registrations at Entry No. 1 in the Land Section, at Entry Nos. 1, 2, 3 and 4 in the Rights Section and at Entry No. 1 in the Ownership Section of Register Unit No. CL 252 in the Register of Common Land maintained by the Surrey County Council and as occasioned by Objection Nos. 213 and 438 made by the said Council and noted in the Register on 10 September and 19 October 1970 and by objection No. 492 made by Guildford Rural District Council and noted in the Regulation on 9 February 1971.

I held a hearing for the purpose of inquiring into the dispute at Guildford on 29 November 1979. This hearing was held immediately after a hearing relating to another part of Shalford Common (Register Unit No. CL 287) and about which I have given a decision on even date (Reference Nos 236/D/328-330). The same persons attended and were represented at both hearings, and to save repetition, I give this decision by reference to the said decision.

The only relevant differences between these CL 252 and the said CL 287 proceedings are:- it is a little under a mile long from east to west, and nowhere more than about 250 yards wide; it is crossed by a main road (A 243) and other roads. In the Rights Section in addition to similar registrations made on the application of Sir M H Parker and Mr Fenston, there are two other registrations of rights: on the application of Major General F A H Ling, attached to Grove Cottage to graze 30 cattle, 30 pigs and 60 sheep or geese; and on the application of Major D B Morrison, attached to Findon Lodge a right of herbage for 2 horses or ponies over part of the Unit Land. Additionally by Objection No. 438 the County Council object particularly to all the Rights Section registrations: "that at the time of registration there were no rights of Common". Upon evidence and considerations the reasons are essentially the same as those set out in my said decision, I confirm the registration at Entry No. 1 in the Land Section with the modification that there be removed the register the land coloured pink on the two plans attached to Objection No. 213, I confirm the registrations at Entry Nos. 1, 2, 3 and 4 in the Rights Section without any modification save such as is necessarily consequential on the removal of the said land from the register, and I refuse to confirm the registration at Entry No. 1 in the Ownership Section.

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

This case is an example of a dispute over land in an unregistered area.



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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 *1<sup>st</sup>*..... day of *April*..... 1980

*a. a. Baden Fuller*

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Commons Commissioner