



In the Matter of The Green by the Wall,
Abinger Common, Abinger, Surrey (No. 1)

DECISION

This dispute relates to the registration at Entry No. 1 in the Land section of Register Unit No. CL 391 in the Register of Common Land maintained by the Surrey County Council and is occasioned by Objection No. 638 made by the former Surrey County Council and noted in the Register on 1 August 1972.

I held a hearing for the purpose of inquiring into the dispute at Guildford on 17 June 1977. The hearing was attended by Mr P W Pilgrim, solicitor, on behalf of the Surrey County Council. Mr Pilgrim informed me that all the persons entitled to be heard at the hearing of this dispute had agreed upon the terms of the decision to be given by me and handed to me particulars of such terms signed by or on behalf of all such persons. These terms were that I should confirm the registration with the following modification:- namely the exclusion of the land the subject of the Objection. However, the land was registered in consequence of an application for a registration of rights made by Mr P E Archer. An objection to Mr Archer's registration by Mr J P M H Evelyn occasioned a dispute, at the hearing of which Mr Archer did not appear and was not represented. I have therefore refused to confirm Mr Archer's registration. Since this registration is founded upon Mr Archer's registration, it seems to me that my proper course is to refuse to confirm this registration, which I accordingly do.

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 5th day of July 1977

Chief Commons Commissioner