



In the Matter of Waste or Common Land of
the Manor, opposite Moat Farm, Limpsfield,
Tandridge D

DECISION

This dispute relates to the registration at Entry No. 1 in the Land section of Register Unit No. CL 508 in the Register of Common Land maintained by the Surrey County Council and is occasioned by Objections No. 233 made by R W Goldsworthy and No. 371 made by Surrey County Council and noted in the Register respectively on 15 September 1970 and 26 May 1972.

I held a hearing for the purpose of inquiring into the dispute at Oxted on 7 May 1981. The hearing was attended by Mr B Cotter, Solicitor, of Surrey County Council, by Miss E P Quigly (the applicant for registration), and by Mrs A Williams, Solicitor of Limpsfield Parish Council. Mr Goldsworthy was not present or represented.

This piece of land ("the Unit land") comprises a strip of land and the site of a pond adjoining a road to the east and a field to the west. There are no rights of common registered and Miss Quigly contended that it was waste land of a manor. On the Tithe map of 1840 the pond appears to lie outside the titheable area but it is not clear whether the remainder of the Unit land or some part of it falls within the field (No. 580 in the Tithe map) which was titheable. The County Council's Objection relates not to the whole of the Unit land but to parts adjacent to the road, and Mr Cotter was content not to press the objection but to rely on the provisions as to highway in Sections 21 and 22 of the Act of 1965.

In the circumstances I 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

18 June

1981

L. J. Morris Smith

Commons Commissioner