



COMMONS REGISTRATION ACT 1965

Reference No. 236/D/638-639

In the Matter of Watercourses and Ponds (including
Badshot Lea Green and Hale Pond) at Farnham,
Waverley D

DECISION

This dispute relates to the registration at Entry No. 1 in the Land Section of Register Unit No. CL 456 in the Register of Common Land maintained by the Surrey County Council and is occasioned by Objection No. 558 made by Mumolands Investments Ltd, and noted in the Register on 28 April 1972 and by the conflicting registration at Entry No. 1 in the Land Section of Register Unit No. VG 15 in the Register of Town or Village Greens.

I held a hearing for the purpose of inquiring into the dispute at Guildford on 5 May 1981. The hearing was attended by Mr B E H Cotter, Solicitor, of Surrey County Council and by Mr A R Hart, Solicitor, of Waverley District Council, successor Authority to Farnham UDC, on whose application the VG registration was made.

The CL registration was made on the application of Mrs E M Manning: the Objection relates to one part (Badshot Lea) of the different and scattered areas comprised in this registration. Neither Mrs Manning nor the Objector was present or represented at the hearing and there was no evidence in support of the Objection.

The conflict relates only to a small section of Hale Recreation Ground, the whole of which is comprised in the VG registration, the small section - Hale Pond - being also included in the CL registration. Mr Hart asked for the VG registration of Hale Pond to be confirmed and this seems to me the appropriate course to take.

In the result I confirm the CL registration modified by excluding from the land the part which is included in the VG 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

6th April

1981

L. J. Morris Smith
Commons Commissioner