



COMMONS REGISTRATION ACT 1965

Reference No. 236/D/307

In the Matter of Abinger Common (part) and
Wotton Common (part), Abinger and Wotton,
Surrey.

DECISION

This dispute relates to the registration at Entry No 1 in the Rights Section of Register Unit No.CL.497 in the Register of Common Land maintained by the Surrey County Council and is occasioned by Objection No. 508 made by Mr J P M H Evelyn and noted in the Register on 28 May 1971.

I held a hearing for the purpose of inquiring into the dispute at Guildford on 13 December 1979. The hearing was not attended by any person entitled to be heard. However, in a letter dated 29 July 1979 addressed to the Clerk of the Commons Commissioners Mr L C C Barkworth stated that he was a brother of Mr E D P Barkworth, the applicant for the registration, who died on 26 January 1972. Mr Barkworth stated that he was rather in the dark as to the rights claimed and asked for a copy of his late brother's application. By letter dated 5 August 1979 he was advised to apply to the registration authority.

In these circumstances I refuse to 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 this

11th

day of

January

1980

Chief Commons Commissioner