



COMMONS REGISTRATION ACT 1965

Reference Nos. 236/D/530-531
236/D/532

In the Matter of Coldharbour Common,
Capel

DECISION

This dispute relates to the registrations at Entry No. 1 in the Land Section and Entry No. 1 in the Rights Section of Register Unit No. CL 495 in the Register of Common Land maintained by the Surrey County Council and at Entry No. 1 in the Land Section of Register Unit No. VG 61 in the Register of Town or Village Greens maintained by the Council, and is occasioned by the conflicts between the registrations.

I held a hearing for the purpose of inquiring into the dispute at Dorking on 9 June 1981. The hearing was attended by Mr B Cotter, Solicitor, of Surrey County Council and by Mr T C C Barkworth. Mr Barkworth is the brother of and successor to the applicant for registration in the Land and Rights Section of CL 495.

The applicant for registration in the Land Section of VG 61 was Capel Parish Council which was not represented at the hearing. Mr Barkworth asked for the CL registrations to be confirmed and I confirm those registrations with the modification that there be excluded from the land such part of it as was the subject of Objection No. 741 noted in the VG register. I refuse to confirm 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

27 July

1981

L. J. Morris Smith

Commons Commissioner