



In the Matter of Elstead Green, Elstead,
Waverley D

DECISION

This dispute relates to the registration at Entry No. 1 in the Land section of Register Unit No. VG 106 in the Register of Town or Village Greens maintained by the Surrey County Council and is occasioned by Objection No. 667 made by the County Council and noted in the Register on 1 August 1972 and also by the conflicting registration at Entry No. 1 in the Land section of Register Unit No. CL 235 in the Register of Common Land maintained by the Council.

I held a hearing for the purpose of inquiring into the dispute at Guildford on 4 March 1981. The hearing was attended by Mr B E H Cotter, Solicitor, of Surrey County Council, and Mr A R Hart, Solicitor, of Waverley District Council, successor Authority to Hambledon R D C, the applicant for registration.

The land ("the Unit land") comprised in this registration is a small triangular area: the County Council's Objection relates to parts of the Unit land claimed to be highway or highway verges and shown on a plan produced at the hearing. It was agreed that these parts should be excluded from the registration.

The CL registration was also made on the application of Hambledon R D C and Mr Hart asked that as regards the Unit land the VG registration be confirmed.

In these circumstances I confirm the registration modified by excluding from the Unit land the parts shown on the plan.

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

6 April

1981

L. J. Morris Smith

Commons Commissioner