



In the Matter of Kettlebury Hill, Frensham  
and Thursley, Surrey (No. 2)

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DECISION

These disputes relate to the registrations at Entry Nos. 1 and 2 in the Rights section of Register Unit No. CL 12 in the Register of Common Land maintained by the Surrey County Council and are occasioned by Objection No. 67 made by the Ministry of Defence and noted in the Register on 2 April 1970, and Objection No. 406 made by the former Surrey County Council and noted in the Register on 18 October 1970.

I held a hearing for the purpose of inquiring into the dispute at Guildford on 19 March 1980. The hearing was attended by Mr K W Mort, Solicitor, on behalf of Mr G P Deverall, the applicant for both the registrations, Mr R F D Barlow, of counsel, on behalf of the Ministry of Defence, and Mr B E H Cotter, Solicitor, on behalf of the Surrey County Council.

Mr Mort informed me that he was instructed not to support the registrations.

In these circumstances I refuse to confirm the registrations.

Mr Barlow asked for an order for costs. In my view, this is a proper case for an order that Mr Deverall pay the Ministry's Costs under County Court Scale 3.

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

16<sup>th</sup>

day of

April

1980

Chief Commons Commissioner