



In the Matter of Stanner's Hill, Chobham Surrey Heath B

DECISION

These disputes relate to the registrations at Entry No. 1 in the Ownership Section and at Entries Nos 1 2 and 3 in the Rights Section of Register Unit No. CL.327 in the Register of Common Land maintained by the Surrey County Council. They are occasioned by Objections Nos. 527 and 494 made by Surrey County Council and noted in the Register on 12 January 1972 and 22 February 1971 respectively.

I held a hearing for the purpose of inquiring into the disputes at Guildford on 1 May 1984. At the hearing Surrey County Council was represented by Mr J H Jessop, Solicitor, and Mr P Sells, of Counsel appeared on behalf of Mr M R Mandy.

The greater part of the unit land, Stanner's Hall, has a registered title under the Land Registration Acts, and Mr Mandy has in the ownership section of the Commons Register, registered ownership of a very small piece on the eastern boundary which is not included in the Land Registry Title. This piece is the subject of the County Council's Objection No. 527. This objection was withdrawn and accordingly I confirm the registration at Entry No. 1 in the Ownership Section.

As regards Objection No. 494 to the Rights Entries, there was no appearance by or on behalf of either of the applicants for the registrations at Entries 1 and 2, and in the absence of evidence to support them I refuse to confirm the registrations.

Entry No 3 was made on the application of Mr Mandy and is of rights over the whole of the unit land. It is of no practical significance to him in relation to areas of which he is the owner of the land. I understand he is the register owner of the greater part of the unit land which has a land registry title: but this ownership is the subject of dispute and proceedings between himself and the County Council (a dispute with which I am not concerned). The separate dispute between them occasioned by the Objection to his Rights Entry may be resolved when the disputed question of ownership is determined and in these circumstances both parties requested an adjournment of this hearing in relation to the dispute as to the Rights Entry. I have acceded to the request.

In this Decision therefore I confirm the registration in the Ownership Section and refuse to confirm the registrations at Entries Nos. 1, 2 and 3 in the Rights Section.

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

16 May

1984

*L. J. Morris Smith*  
Commons Commissioner