



In the Matter of Westway Common (excluding
the roadway ie. Westway and the site areas
of the County Council Library etc).
Tandridge D

DECISION

These disputes relate to the registrations at Entry No. 1 in the Land Section and Entry No. 1 in the Rights Section of Register Unit No. CL 451 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 33 in the Register of Town or Village Greens maintained by the County Council. The disputes are occasioned by Objection No. 91 made by Caterham and Warlingham Urban District Council noted in the Register on 15 May 1970 and by the conflicting registrations in the two land sections.

I held a hearing for the purpose of inquiring into the disputes at Dorking on 29 October 1981. The hearing was attended by Mr R C Wilson, Solicitor, appearing on behalf of Tandridge District Council, successor authority to the Objector; and by Mr J Batley, Solicitor, appearing on behalf of the Bourne Society, and of Mr J E Pearce.

The CL registration was made on the application of the Bourne Society and the VG registration on the application of Mr Pearce, who also applied to register Entry No. 1 in the Rights Section of the CL register. The parties had agreed that the CL registrations should be cancelled and the VG registration confirmed. Accordingly I refuse to confirm the Entries in the Land and Rights Section of CL 451 and confirm the Entry in the Land Section of VG 33.

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

19 November

1981

L. J. Morris Smith

Commons Commissioner