



In the Matter of Whitmoor Common, Worplesdon,  
Surrey

DECISION

This dispute relates to the registrations at Entry Nos 1 to 10 in the Rights Section of Register Unit No CL 158 in the Register of Common Land maintained by the Surrey County Council and is occasioned by Objections Nos 259 and 426 made by the former Surrey County Council and noted in the Register on 21 September 1970.

I held a hearing for the purpose of inquiring into the dispute at Guildford on 26 April 1979. The hearing was attended by Mr P F Myers, solicitor, on behalf of the Surrey County Council and by Mr J A Fox, the applicant for the registration at Entry No 6.

Mr Fox has sold his land. Mr Myers informed me that the County Council had agreed with the purchaser that the registration at Entry No 6 should be confirmed in so far as it related to the pasturing of one horse or pony. I therefore confirm the registration with the following modifications, namely, the substitution of the word "pasture" for the word "herbage" and the deletion of the words "together with the rights of estovers and the right of turbary".

There was no appearance by or on behalf of any of the applicants for the other registrations, but Mr Myers produced documents signed by or on behalf of the applicants for the registrations at Entry Nos 1 to 5 and 9 on the basis of which I confirm the registration at Entry No 1 with the substitution of the words: "The right to pasture 1 horse and 1 cow over the whole of the land comprised in this Register Unit" for the words in column 4; I confirm the registration at Entry No 2; I confirm the registration at Entry No 3 with the substitution of the words: "The right of pasture for 3 cattle and the right of pannage for 2 pigs over the part of the land comprised in this Register Unit to the West of the Railway" for the words in column 4; I confirm the registration at Entry No 4 with the substitution of the words: "The right of pannage for 3 pigs over the whole of the land comprised in this Register Unit" for the words in column 4; I refuse to confirm the registration at Entry No 5: and I confirm the registration at Entry No 9 with the substitution of the words "The right of pannage for 10 swine or pasture for an equivalent number of cattle or horses over the whole of the land comprised in this Register Unit" for the words in column 4.

Mr Myers informed me that it has been agreed with the applicant for the registration at Entry No. 7 that the numbers of animals referred to in the entry should be halved. I therefore confirm this registration with the substitution of the figures "25" "5" and "27" for the figures "50", "10", and "55" respectively.

Mr Myers informed me that it had been agreed with the applicant for the registration at Entry No 8 that the registration should be confirmed with the substitution of the words "The right of pannage and pasture for 10 pigs, 2 cows and 5 sheep over the land comprised in this Register Unit between Fox Corner, The Jolly Farmer, Worplesdon Church, and the junctions of Burdenshott Road, Goose Rye Road" for the words in column 4. I confirm this registration accordingly.



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Mr Myers further informed me that it had been agreed with the applicant for the registration at Entry No. 10 that the registration should be confirmed with the deletion of the words "The rights of estovers and turbary".

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

5<sup>th</sup>

day of

June

1979.

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Chief Commons Commissioner