



COMMONS REGISTRATION ACT 1965

Reference No. 236/D/338

In the Matter of Wisley Common,  
Wisley, Guildford Borough, Surrey

DECISION

This dispute relates to the registration at Entry No. 1 in the Land Section of Register Unit No. CL350 in the Register of Common Land maintained by the Surrey County Council and is occasioned by Objection No. 721 made by the said Council and noted in the Register on 4 August 1972.

I held a hearing for the purpose of inquiring into the dispute at Guildford on 28 November 1979. At the hearing (1) Guildford Borough Council as successors of Guildford Rural District Council on whose application the registration was made, were represented by Mr P W Pilgrem, a solicitor with the Council; and (2) Surrey County Council were represented by Mr B Cotter a principal solicitor with the Council.

The land in this Register Unit is an irregularly shaped piece a little more than  $1\frac{1}{2}$  miles long from southwest to northeast, and for the most part at least  $\frac{1}{4}$  of a mile wide (in one place it is nearly a mile wide); some of it is crossed by and <sup>(two)</sup> much of it adjoins the Portsmouth Road (A3). Neither the A3 road nor ~~the~~ side roads (Wisley Lane and Elm Lane) where they cross ~~the~~ the land is excluded from the registration. The grounds of Objection are: "That the land shown coloured pink on the attached plan was not common land at the date of registration"; such plan shows coloured (or edged) pink the said road and the verges thereof (marked in feet on the plan).

Mr Pilgrem was agreeable to the registration being modified so as to exclude the Objection land. There was some discussion as to the effect of the recent improvement of the A3 road, and I was handed a plan prepared by the County Engineer showing the new layout; although the improvement itself is finished (or nearly so), there is an uncompleted conveyancing transaction with the Department of the Environment.

It seems to me that I should deal with this matter on the basis of the Objection as made; if (as seems likely) as the result of the conveyancing transactions now in progress some part of the land not within these Objections ceases to be common land an appropriate amendment can be made in the Register in accordance with Section 13 of the 1965 Act and regulation 27 of the Commons Registration (General) Regulations 1966. But I have (as I said I would at the hearing) held up this decision for 42 days so that either could apply to me to re-open the hearing if any difficulty should appear as a result of the improvement. Not having received any such application, I confirm the registration with the modification that there be removed from the Register the land coloured (or edged) pink on the plan attached to the Objection.

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



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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 1st day of April — 1979

*a. a. Baden Fuller*

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Commons Commissioner