



COMMONS REGISTRATION ACT

Reference No. 236/D/265-267

In the Matter of Bookham Common,
Leatherhead, Mole Valley D

DECISION

This dispute relates to the registration at Entry No. 1 in the Land Section and Entry Nos. 1, 2, 3 and 4 in the Rights Section of Register Unit No. CL 96 in the Register of Common Land maintained by the Surrey County Council and is occasioned by Objection No. 45 made by British Railways and noted in the Register on 17 March 1970 and Objection No. 711 made by The National Trust and noted in the Register on 2 August 1972.

I held a hearing for the purpose of inquiring into the dispute at Guildford on 18 October 1979. The hearing was attended by Mr Ransome on behalf of British Railways and Mr D J Carter on behalf of the National Trust.

Mr Ransome withdrew the Objection to the Entry in the Land Section and I confirm that Entry.

Mr Carter and Mr Ransome agreed that I should confirm Entry Nos. 1, 2, 3 in the Rights Section in the case of Entry No. 1 modified as hereinafter stated.

Mr Webster applied for Rights on this Unit and the contiguous unit CL. 259, there being no physical boundary between these two units. Mr Carter told me that he had reached agreement with Mr Webster that his rights should be restricted to a right to graze 4 horses and a right of estovers over either of both of the two units. Entry No. 1 will therefore be modified by deleting all the words in column 4 and substituting there for the words:

"The Right to graze 4 horses on this Unit and Unit No. CL 259 provided that no more than 4 horses shall be grazed at any one time over either or both of such units AND a right of Estovers".

I confirm Entries 1, 2 and 3 as afore said.

Mr Hinde the applicant for Rights under Entry No. 4 did not appear at this hearing or on the hearing relating to CL. 259 on which he had made a duplicated application. The Rights were claimed for "The Corner House" which I was told had not even a garden and which clearly could not support at any time the 56 beasts and 224 sheep, Mr Hinde claimed to graze. Mr Ransome maintained his objection and even if he had not done so I would have refused to confirm as I do refuse to confirm Entry No. 4 which is plainly misconceived and which Mr Hinde did not appear to support.

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

2nd

day of

November

1979

G. A. Little

Commons Commissioner