



In the Matter of Frensham Common including  
Frensham Little Pond, Waverley D

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DECISION

This dispute relates to the registrations at Entry No. 1 in the Land Section and Entries Nos. 1 and 3 in the Rights Section of Register Unit No. CL 430 in the Register of Common Land maintained by the Surrey County Council and is occasioned by Objection Nos. 594 and 596 made by Tilhill Forestry Ltd and noted in the Register on 31 May 1972.

I held a hearing for the purpose of inquiring into this and other disputes relating to CL 430 on 13 July 1982, and the Decision dated 29 September 1982 was duly issued. The hearing was re-opened and the re-opened hearing was held at Guildford on 5 October 1983 for the purpose of inquiring further into this dispute. At the hearing the Objector was represented by its Financial Adviser, Mr R T Collie.

Objections 594 and 596 relate only to a part of the land comprised in CL 430, the part being shown on the plan accompanying the Objections. The land was registered as common land in consequence of an application to register rights, the applicant being Mrs B M Tussler. The only rights now claimed are those numbered 1 and 3 in the Rights Section, both of which were registered on her application. Agreement has been reached between her and the Objector, as a result of which Mrs Tussler has agreed to release those rights over the part of the land to which these Objections relate. In consequence, there having been no suggestion that the land is waste land of a manor, I shall confirm the registration at Entry No. 1 in the Land Section modified by excluding from the land the part to which these Objections relate, and confirm the registrations at Entries Nos. 1 and 3 in the Rights Section which, with that exclusion, will cease to apply to the excluded part. This modification is in addition to the modifications mentioned in the Decision of 29 September 1982, which remain unaffected.

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

24 October

1983

*L. J. Lewis Smith*

Commons Commissioner