



COMMONS REGISTRATION ACT 1965

Reference Nos. 236/D/480-481,  
236/D/482-485

In the Matter of The Green, Shamley Green and  
Manorial Waste, Womersh, Waverley D

DECISION

These disputes relate to (1) The registration at Entry No. 1 in the Land Section of Register Unit No. CL 175 in the Register of Common Land maintained by the Surrey County Council, (2) the registrations at Entry No. 1 in the Land Section and Entry No. 1 in the Rights Section of Register Unit No. VG 1 in the Register of Town or Village Greens maintained by the Council. The disputes are occasioned by the conflicting registrations in the two land Sections and also (a) as regards the CL registration by Objection No. 156 made by Surrey County Council and noted in the Register on 1 September 1970 (b) as regards the VG registration by Objection No. 138 made by Surrey County Council and noted in the Register on 1 September 1970, (c) as regards Entry No. 1 in the Rights Section of VG 1 by the said Objection No. 138 and by Objection No. 291 made by Hambledon RDC and noted in the Register on 7 October 1970.

The CL registration was made on the application of Hambledon RDC to which Waverley District Council is successor. The VG registration was made on the application of Mr D A Hill who was also the applicant for registration of Entry No. 1 in the Rights Section. There are no expressed Entries in the Rights Section of the CL registration.

I held a hearing for the purpose of inquiring into the disputes at Guildford on 3 February 1981. At the hearing the County Council was represented by Mr D C Rice, Solicitor, and Waverley District Council by Mr A R Hart, Solicitor. There were no other appearances.

There was no evidence to support the VG registration or Entry No. 1 in its Rights Section and I refuse to confirm those registrations. As regards the CL registration the County Council's Objection (No. 156) related only to strips of land which it claimed to be parts of the highway and which are shown on the plans accompanying the Objection. Mr Hart on behalf of the District Council accepted the Objection and accordingly I confirm the registration modified by excluding those strips. I refuse to confirm the Entry in the Rights Section of the CL registration deemed to be made by virtue of the registration in the Rights Section of the VG registration.

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

23 March

1981

*L. J. Morris Smith*  
Commons Commissioner