



In the Matter of The Manor of Wotton, Wotton,
Surrey

DECISION

This dispute relates to the registrations at Entry Nos 1 to 17 in the Rights section of Register Unit No. CL 48 in the Register of Common Land maintained by the Surrey County Council and is occasioned by Objection No. 414 made by the former Surrey County Council and noted in the Register on 19 October 1970.

I held a hearing for the purpose of inquiring into the dispute at Guildford on 14 December 1979. The hearing was attended by Mr B Cotter, solicitor, on behalf of the Surrey County Council. The hearing was adjourned until 20 February 1980, when the County Council was represented by Mr P J Droop, solicitor. The hearing was further adjourned until 3 March 1981.

At the hearing on 20 February 1980 Mr Droop produced consents under reg. 31 of the Commons Commissioners Regulations 1971 requesting that the registrations at Entry Nos 1 to 6, 8 to 11, 14, 16, and 17 should not be confirmed.

Mr Droop also produced a consent by the successors in title of the applicant for the registration at Entry No. 12 to the modification of the registration to a right to collect on foot fallen wood, excluding sound timber, from a part of the land comprised in the Register Unit defined by reference to a plan for the private domestic use of the property known as Leith Cottage.

Since the making of the registration the dominant tenement in Entry No. 7 has been divided, part now being the property of Mr J A Challis and the remainder the property of Mr P Morgan.

At the hearing on 3 March 1981 Mr Droop produced a letter from Mr Challis, dated 4 January 1981 in which he stated that he was happy to receive the same rights as those agreed in respect of Entry No. 12.

Since the hearing I have received a form of consent signed by Mr Morgan agreeing to accept the same rights as Mr Challis.

I have also received a form of consent signed by Mr J Dark, the applicant for the registration at Entry No. 13, to accept the same rights, and a form of consent signed by Mr T C C Barkworth, the applicant for the registration at Entry No. 15, to accept a right of pasurage for 20 cattle and 35 sheep on a part of the land comprised in the Register Unit defined by reference to a plan and a right to cut and remove bracken and gorse on the whole of the land comprised in the Register with ~~with~~ the exception of a small area defined by reference to a plan.

I refuse to confirm the registrations at Entry Nos 1 to 6, 8 to 11, 14, 16, and 17, and I confirm the registrations at Entry Nos 7, 12, 13, and 15 with the modifications required to give effect to the relevant consents.

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.

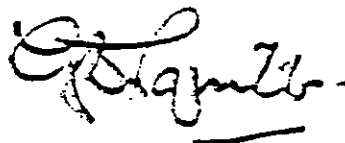
Dated this

6th

day of

June

1981



Chief Commons Commissioner