



COMMONS REGISTRATION ACT 1965

Reference No. 236/D/557-561

In the Matter of Cranleigh Common,  
Cranleigh

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DECISION

These disputes relate to the registrations at Entry No. 1 in the Land Section and Entry No. 1 in the Rights Section of Register Unit No. CL221 in the Register of Common Land maintained by the Surrey County Council. They are occasioned by three Objections: No. 51 by British Railways, No. 212 by Surrey County Council and No. 621 by Hambledon RDC, noted respectively in the Register on 17 March 1970, 10 September 1970 and 3 July 1972.

I held a hearing for the purpose of inquiring into the disputes at Guildford on 4 February 1981. The hearing was attended by Mr G V Hinde, an applicant for registration in the Land Section: by Mr B E H Cotter, Solicitor of and representing Surrey County Council: and by Mr R A Hart, Solicitor of and representing Waverley District Council (successor to Hambledon RDC, also an applicant for registration in the Land Section).

Entry No. 1, the only Entry in the Rights Section was made on the application of Mr and Mrs H E Barber, who were not present or represented at the hearing and who, it appears are no longer interested in the matter. There being no evidence in support of the right, I refuse to confirm this registration, to which Objection No. 621 relates.

Objection No. 51 relates to strips of land stated to be part of the operational land of the railway. Mr Cotter told me that the County Council is successor to British Rail in respect of this land. The Objection was not resisted and I shall exclude these strips from the registration.

Objection No. 212 relates to pieces of land claimed to be in the nature of highway. Agreement has been arrived at on this dispute and I shall give effect to what has been agreed by excluding from the registration the area coloured pink shown on a plan which has been furnished to me.

In the result, I refuse to confirm the registration at Entry No. 1 in the Rights Section and I confirm the Entry in the Land Section with a modification excluding the strips of land to which Objection No. 51 relates and the area shown on the plan referred to above.

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 22 September 1981

*L. J. Morris Smith*  
Commons Commissioner