COMMONS REGISTRATION ACT 1965   Reference No. 236/D/623-624

In the Matter of Rushett Common, Rooks Hill and Birtley Green, Bramley, Waverley D

DECISION

These disputes relate to the registration at Entry No. 1 in the Land
Section of Register Unit No. CL 149 in the Register of Common Land
maintained by the Surrey County Council and are occasioned by Objection
No. 170 made by Surrey County Council and Objection No. 304 made by
S J Compton, noted in the Register respectively on 1 September 1970 and
8 October 1970.

I held a hearing for the purpose of inquiring into the disputes at
Guildford on 3 March 1981. The hearing was attended by Mr B E H Cotter,
Solicitor, of Surrey County Council and Mr S P Fisher, Solicitor, of Waverley District
Council, successor authority to Hambledon RDC, on whose application the
registration was made.

A letter had been received from the Solicitors to Mr Compton to the effect
that Objection No. 304 was withdrawn. As regards Objection No. 170
it had been agreed between Surrey County Council and Waverley District
Council that certain areas should be excluded from the land registered
("the Unit land"). These areas are (1) the land west of A 281 from the
northern extremity of the Unit land to Bridleway 267: (2) the metalled
footway on the east of A 281 running south from Birtley Farm to Rushett Common:
(3) The carriageway and verges on both sides of A 281 to the ditches at
Rushetts Common on C 36: (4) The carriageway of A 281 south of the junction
with C 36 and the verges on either side to the edge of the level margin
but not exceeding 2 metres in width at any point.

Accordingly I confirm the registration modified by excluding these areas from
the Unit land.

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   6 April   1981

Commons Commissioner