



In the Matter of Blackheath Common, Wonersh,
Waverley D

DECISION

This reference relates to the question of the ownership of land described above being the part of the land comprised in the Land Section of Register Unit No. CL 7 in the Register of Common Land maintained by the Surrey County Council of which no person is registered under section 4 of the Commons Registration Act 1965 as the owner.

Following upon the public notice of this reference the Trustees of the Will of Lord Tangle claimed to be the freehold owners of the land in question ("the Unit land") and no other person claimed to have information as to its ownership.

I held a hearing for the purpose of inquiring into the question of the ownership of the Unit land at Guildford on 22 June 1983.

At the hearing Mr N Shepherd, Solicitor, appeared on behalf of the claimants, and Miss A Deacon, Assistant Solicitor of Waverley District Council appeared on its behalf. The District Council which, Miss Deacon told me, manages the Unit land in accordance with regulations prescribed by a Scheme of 1899, does not claim ownership.

By a Conveyance on sale dated 20 May 1952 and made between (1) A E C Prescott and Another and (2) Baron Tangle (then Sir Edwin Herbert) there was conveyed to Baron Tangle the manor of East Bramley including the Lord's estate rights and interests over Blackheath Common. Baron Tangle died in 1973 and by an Assent dated 17 June 1974 his personal representatives assented to the vesting in themselves, on trust for sale, of the Manor of East Bramley. The Trustees are Williams and Glyn's Trust Co. Ltd., Lady Tangle and Peter M Herbert. By a Statutory Declaration made on 23 February 1976, Geoffrey B Morgan, Solicitor in the firm of which Baron Tangle had been senior partner, deposed to the fact that he was in the years 1965-1975 concerned with the affairs of the manor of East Bramley. He referred to a map which was used as depicting the area of the manor: from a copy of the map I was shown, this area includes the Unit land.

On this evidence I am satisfied that the Trustees are the owners of the Unit land and I shall accordingly direct the Surrey County Council, as registration authority, to register them as the owners under section 8(2) of the Act of 1965.

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

8 September

1983

L. J. Mous J. J. J.

Commons Commissioner