



657

In the Matter of Land adjacent to Run Common,  
North of "Ardath", Shamley Green, Wonersh.

---

DECISION

This reference relates to the question of the ownership of land adjacent to Run Common, North of Ardath, Shamley Green, Wonersh being the land comprised in the Land Section of Register Unit No. CL 82 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 Waverley D C and the Trustees of the late Lord Tangley's Will Trusts claimed to be the freehold owners of parts of the land in question 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 land at Guildford on 17 October 1979. Mr B Rumsey appeared for the Waverley District Council and Mr C Wells of Messrs Waltons and Morse, appeared for the Trustees. Mr Rumsey produced a conveyance to Hambledon RDC, the predecessor to his Council of part of the land in question, part of which or possibly the whole of which is registered at H M Land Register. The title to the remainder of the land is identical with the title to the land comprised in Unit No. CL 84 and is in the ownership of the Trustees. I regret I did not retain any of the plans produced. I shall direct the Surrey County Council to register under section 8(2) Waverley District as the owner of any part of the land conveyed to Hambledon which is not the subject of a registered title and to register Lady Gwendolen Tangley, Peter Meldram Herbert and Williams and Glyn's Trust Company Ltd as the owners of any part of the land which is not registered or in the ownership of Waverley D C. It was agreed at the hearing that this last mentioned land is the bulge North of the Registered land. It is not clear from my copy of the Register Map, whether or not a small portion of land at the South is or is not registered.

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

2<sup>nd</sup>

day of

November

1979

Commons Commissioner