



In the Matter of Weatherhill Common,
Hatfield, Surrey.

DECISION

This reference relates to the question of the ownership of land known as Weatherhill Common, Hatfield, being the land comprised in the Land Section of Register Unit No. CL 534 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 Blochingley and Hathersham Estate Company claimed to be the freehold owner 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 15 June 1977.

At the hearing the Blochingley and Hathersham Estate Company was represented by Mr C. S. Schooling, its land agent.

The Company was party to an agreement dated 29 September 1951 to purchase from Mr Roger Uvedale Lambert various parcels of land, including Hathersham Farm, which adjoins the land the subject of this reference on its north side, together with a right of pasturage over that land. The sale has not yet been completed.

Mr Schooling produced an abstract of title which indicated that Mr Lambert was the lord of the manor of Hathersham, and said that the basis of his clients' claim was that the land in question was part of the waste land of the manor of Hathersham. In order to prove this, Mr Schooling relied on a document in the Surrey Record Office (ref. 212/78/429). This document, which appears to be in a 17th century hand, is an abstract of the titles to the several tenements parcel of the manor of "Hadresham" from the court rolls of the manor. One of the tenements consisted of lands called "Wether Hill" and was held by tenants named Charle in the reigns of Edward IV, Henry VIII, and Elizabeth I. It seems to me to be a fair inference from the fact that copyhold land called "Wether Hill" was parcel of the manor that Wetherhill Common was also parcel of the manor. There is no evidence that the Common has since ceased to be parcel of the manor, and for many years rights of pasture over the Common have been included with the tenancy of Hathersham Farm.

On this evidence I am satisfied that Mr Lambert is the owner of the land, and I shall accordingly direct the Surrey County Council, as registration authority, to register him as the owner of the land 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 this 5th day of July 1977

Chief Commons Commissioner