



In the Matter of land at Ridgebridge Hill on Upper House
Farm, Shamley Green, Waverley D

DECISION

This reference relates to the question of the ownership of land at Ridgebridge Hill on Upper House Farm, Shamley Green, Waverley D being the land comprised in the Land Section of Register Unit No. CL 84 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 late Lord Tanleys Will Trust claimed to be the freehold owners 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 C Wells of Messrs Waltons and Morse appeared for the Trustees and he produced a decision given by Mr Commissioner Baden Fuller dated 18 March 1976 on Reference No. 236/U/18 and the documents produced to Mr Baden Fuller on the hearing of that reference. Mr Wells also produced a map, not available to Mr Baden Fuller which was in existence prior to 1920 and which was obtained from the Surrey Records Office, on which Mr Wells identified the land in question.

The title in the instant case is identical with that which was accepted by Mr Baden Fuller and I am happy to follow his decision referred to above and I should add, I agree with that decision. No useful purpose will be served by referring in detail to the documents produced.

On this evidence I am satisfied that Lady Gwendolen Tangley, Peter Meldrum Herbert and Williams and Glyn's Trust Company Ltd are owners of the land, and I shall accordingly direct the Surrey County Council, as registration authority, to register them as the owners 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, required me to state a case for the decision of the High Court.

Dated this 2nd day of November 1979

G. A. Little

Commons Commissioner