



COMMONS REGISTRATION ACT 1965

Reference No 37/U/59

In the Matter of Back Lane and Caveridge Lane
South Chailey, Chailey Parish, Chailey R.D.
East Sussex

DECISION

This reference relates to the question of the ownership of land known as Back Lane and Caveridge Lane, South Chailey, Chailey parish, Chailey Rural District being the land comprised in the Land Section of Register Unit No CL.11 in the Register of Common Land maintained by the East Sussex 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 no person claimed to be the freehold owner of the land in question. Mr Ivor Grantham in a letter dated 6 November 1972 said he had known this common since the days of his childhood before the first of the two World Wars and in a letter dated 14 January 1973 said he would attend the hearing with the Manorial records relating to the Manors of Balneth and of Camoys Court. No other person claimed to have information as to the ownership of the land.

I held a hearing for the purpose of inquiring into the question of the ownership of the land at Lewes on 8 March 1973. The hearing was attended by the Chailey Parish Council who were represented by Mr J P E Barrett solicitor of Messrs Blaker Son & Young Solicitors of Lewes and by Mr Ivor Grantham in person.

Mr Barrett said that the Parish Council did not claim ownership: they believed that the land ("the Unit Land") comprised in this Register Unit might belong either to Mr Grantham or to Mr Sclater, but could give no evidence of this.

Mr Grantham said:- Back Lane (meaning the long strip of land which now runs approximately north and south and being the eastern part of the Unit Land) belonged to his father Mr W W Grantham, being part of the Balneth Estate which had belonged to their family for three generations. He could produce the records of the Manor of Balneth (now more often spelt Balneath) which showed that Back Lane and the adjoining lands on the East were in the Manor. He could not produce the old title deeds to the Balneth Estate because they had been destroyed by enemy action; however he showed me an Ordnance Survey map dated 1873 on which had been marked the western boundary in 1888 of the Estate. After the death of his father in 1942, he in 1945 sold land of which Back Lane was the western part; accordingly he did not now claim to be the owner of Back Lane. Caveridge Lane (meaning the strip of land which runs southwest from a point on Back Lane near the middle and being the western and remaining part of the Unit Land) was never part of the Balneth Estate and accordingly he did not now claim to be the owner of Caveridge Lane.

In view of Mr Grantham's statement that the records of the Manors of Balneth and Camoys Court did not provide any information from which I could deduce who is now the owner of the Unit Land, I did not examine them; I had a number of other cases in the



days list. However I thank Mr Grantham for bringing these records to the hearing in case they might be needed.

In the absence of any evidence I am not satisfied that any person is the owner of the land and it will therefore be subject to protection under section 9 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

27th

day of

March

1973

a. a. Baden Fuller.

COMMONS COMMISSIONER