



COMMONS REGISTRATION ACT 1965

Reference No. 37/U/97

In the Matter of Land adjoining Gallops
Farm, Westmeston, East Sussex

DECISION

This reference relates to the question of the ownership of land adjoining Gallops Farm, Westmeston, being the land comprised in the Land Section of Register Unit No. CL 103 in the Register of Common Land maintained by the former 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 Mrs A J Perry 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 Lewes on 16 November 1978.

At the hearing Mrs Perry was represented by her son, Mr W Perry.

Mrs Perry is the owner and occupier of Gallops Farm, and part of her land marches with the land the subject of the reference, from which it is divided by a hedge. The land subject of the reference is bounded on the opposite side by a road, to which it lies open. In short, in appearance it is a typical piece of roadside manorial waste.

Mr Perry, who is 46 years of age, was born at Gallops Farm and has known the land in question all his life. During the whole of the time that he can remember the owner of the farm has taken wood for fencing stakes and firewood from the land and until about 1955 grazed cattle on it. The grazing ceased when the cows were attested, but began again about six years ago when all the cows in the neighbourhood were accredited. No permission for these activities was sought, nor was any objection taken to them.

In these circumstances it appears that Mrs Perry now has a possessory title to the land.

On this evidence I am satisfied that Mrs Perry is the owner of the land, and I shall accordingly direct the East Sussex County Council, as registration authority, to register her 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

December

1978

Chief Commons Commissioner