



COMMONS REGISTRATION ACT 1965

Reference No.37/U/42

In the Matter of Stumblewood Common,
Maresfield, East Sussex.

DECISION

This reference relates to the question of the ownership of land known as Stumblewood Common, Maresfield, being the land comprised in the Land Section of Register Unit No. C.L.72 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 Sir Harold Samuel (as he then was) 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 30th November 1972.

At the hearing Lord Samuel of Wych Cross was represented by Mr. Pryor, of counsel. Mr. Pryor produced a Land certificate which showed that Lord Samuel of Wych Cross is the registered owner of the land in question. Since only land which is not registered under the Land Registration Acts 1925 and 1936 can be the subject of a reference under section 8 of the Act of 1965, this reference is ultra vires and I can give no effective decision on it.

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 12th day of December 1972


Chief Commons Commissioner