



COMMONS REGISTRATION ACT 1965

Reference No.37/U/106

In the Matter of the Recreation Ground,
Barcombe, East Sussex.

DECISION

This reference relates to the question of the ownership of land known as The Recreation Ground, Barcombe being the land comprised in the Land Section of Register Unit No.VG 47 in the Register of Town or Village Greens 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 the Barcombe Parish Council 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 19th December 1974.

The Parish Council was not represented at the hearing, but I had before me an affidavit sworn by Mr Robert Noel Platt of the Charity Commissioners' Office from which it appears that the land in question was (with a small piece of other land subsequently conveyed to the former East Sussex County Council) conveyed to the Parish Council by a conveyance made 21st April 1950 between (1) William Ivor Grantham (2) Francis Reginald Maw and W.I.Grantham (3) Barcombe Parish Council. This conveyance contained a covenant by the Parish Council to hold the land upon trust for use as a recreation ground for the inhabitants of Barcombe and the neighbourhood immediately adjoining. Mr Grantham was present at the hearing.

On this evidence I am satisfied that the Parish Council is the owner of the land, and I shall accordingly direct the East Sussex County Council, as registration authority, to register the Barcombe Parish Council 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 16th day of December 1974

Chief Commons Commissioner