



In the matter of Beaconhill, Watersfield,  
Coldwaltham, West Sussex.

## DECISION

This reference relates to the question of the ownership of the land known as Beaconhill, Watersfield, Coldwaltham, being ~~the part of~~ the land comprised in the Land Section of Register Unit No. CL 224 in the Register of Common Land maintained by the West 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 Coldwaltham 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 Chichester on 19 February 1981.

At the hearing the Parish Council was represented by Mr S Dallyn, its Clerk.

In the title apportionment for the parish of Coldwaltham made in 1843 the land in question is described as "part of Allotment for Sand Pit" and is stated to be in the ownership of "Coldwaltham parish" and in the occupation of one Charles Smith, who was also in the occupation of a cottage and garden in the ownership of the parish. The allotment was presumably made by the award made under the Amberley and Coldwaltham Inclosure Act of 1810 (50 Geo. III, c.35 private, not printed), but no evidence as to this award was adduced. However, the land seems to have passed to the Coldwaltham Parish Council under the Local Government Act 1894, since at a meeting of the Council held on 8 July 1895 it was resolved that "adequate posts and rails be placed round the sandpit at the top of Beacon Hill, and that a Notice Board be placed at the sand pit warning persons to abstain from camping there or taking sand from the pit". Payment for the fencing was approved on 27 January 1896.

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

3rd

day of

March

1981

Chief Commons Commissioner