



COMMONS REGISTRATION ACT 1965

Reference No.38/U/19

In the Matter of Black Lake,
Fernhurst, West Sussex.

DECISION

This reference relates to the question of the ownership of land known as Black Lake, Fernhurst, being the land comprised in the Land Section of Register Unit No.CL 94 in the Register of Common Land maintained by the former 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 Mr and Mrs A.T.Young and Mr P.D.Hall claimed to be the freehold owners of parts 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 18th June 1975.

At the hearing Mr and Mrs Young were represented by Mrs J.E.Bolton, solicitor, who also appeared for Mrs A.K.Frost, and Mr Hall appeared in person.

The land the subject of the reference has the general shape of a golf club, with the head at the south end. What may be termed the "shaft" and part of the "head" are parts of a much larger area of land conveyed to Mr and Mrs Young by a conveyance made 23rd June 1959 between (1) Miles David Ling (2) Alexander Thomas Young and Frances Joan Young his wife.

A narrow strip of land along the northern boundary of the "head" included in the conveyance to Mr and Mrs Young was the subject of a conveyance made 19th June 1961 between (1) A.T.and F.J.Young (2) William Henry Butcher (3) Katherine Clinton-Lloyd Davies (4) Richard Edward Frost. Mrs A.K.Frost is now the registered owner of this strip under Title No.SX 152299. This strip was so registered on 21st February 1973 after this reference had been made and has been thereby excluded from the reference.

So far as the remainder of the "head" of the golf club is concerned, part was conveyed to Mr Hall and his wife by a conveyance made 22nd November 1960 between (1) A.T. and F.J.Young (2) William Henry Butcher (3) Peter Denyar Hall and Gillian Mary Hall his wife, and part by a conveyance made 1st October 1957 between (1) Kit Kenny (2) P.D.and G.M.Hall.

On this evidence I am satisfied that Mr and Mrs Young and Mr and Mrs Hall are the owners of their respective parts of the land and I shall accordingly direct the West Sussex County Council, as registration authority to register them as the owners of those parts of the land under section 8(2) of the Act of 1965.



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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 7th day of July 1975

A handwritten signature in black ink, appearing to be 'G. G. G. G. G.', written in a cursive style.

Chief Commons Commissioner