



In the Matter of Blackland Common, Woodmancote,
West Sussex

DECISION

This reference relates to the question of the ownership of land known as Blackland Common, Woodmancote, being the land comprised in the Land Section of Register Unit No. CL 240 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 County Council claimed to be the freehold owner of part of the land in question and no other person claimed to have information as to its ownership.

Mr Commissioner Settle, QC., held a hearing for the purpose of inquiring into the question of the ownership of the land at Chichester on 3 October 1979.

At the hearing the County Council was represented by Mr Lester of the County Secretary's Department, and Mr R M Gordon-Seymour appeared in person.

Most of the land comprised in the Register Unit was conveyed to the former West Sussex County Council by a Conveyance made 16 June 1940 between (1) The Brighton and Hove Stadium Ltd (2) The County Council of the Administrative County of West Sussex and passed to the present County Council on 1 April 1974 by virtue of the Local Authorities (England) (Property etc) Order 1973 (S.T. 1973 No. 1861).

A part of the remainder of the land forms part of a property known as Morley Lodge, which was conveyed to Mr Gordon-Seymour's wife by a Conveyance made 2 August 1965 between Nigel Robert Kingsley Hicks and Tessa Frances Hicks (2) Peggy Aileen Ruth Gordon-Seymour.

This left outstanding a small triangular area between Morley Lodge and the County Council's land. Unfortunately the learned Commissioner died before evidence as to the ownership of this triangular area could be produced to him. In pursuance of regulation 29 of the Commons Commissioners Regulations 1971, I hereby direct that the proceedings shall be continued by me.

Since there was no other claimant to the ownership of the outstanding triangular area, I have decided not to re-open the hearing, but to proceed with the matter on the basis of evidence provided by the Solicitors for Brighton and Hove Stadium Ltd.

By a Conveyance made 19 June 1939 between (1) William Albert Railton (2) Brighton and Hove Stadium Ltd, there was conveyed to Brighton and Hove Stadium Ltd a property known as Morley Lodge, which included the whole of the land comprised in the Register Unit. A part of this land was conveyed to the former West Sussex County Council by the Conveyance of 16 June 1940 referred to above. Most of the remainder of the Morley Lodge property was conveyed to Mrs C M Snee, the predecessor in title of Mrs Gordon-Seymour by a Conveyance made 2 March 1956 between (1) Brighton and Hove Stadium Ltd (2) Constance Mary Snee. These two Conveyances left the small triangular area regarding which Mr Commissioner Settle had no evidence in the ownership of Brighton and Hove Stadium Ltd.



On this evidence I am satisfied that Brighton and Hove Stadium Ltd, the West Sussex County Council and Mrs Gordon-Seymour are the owners of parts of the land, and I shall accordingly direct the County Council, as registration authority, to register them as the owners of their respective parts 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

8th

day of

January

1982

Chief Commons Commissioner