



COMMONS REGISTRATION ACT 1965

Reference No. 38/U/38

In the Matter of Broadgreen Waste,
Tortington, Chichester R.D., West Sussex

DECISION

This reference relates to the question of the ownership of land known as Broadgreen Waste, Tortington, Chichester Rural District being the land comprised in the Land Section of Register Unit No. CL211 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 Messrs. Holmes Campbell & Co., solicitors of Arundel wrote to the clerk of the Commons Commissioners stating that the Duke of Norfolk claimed to be the owner of this land by virtue of his position of lord of the manor of Tortington. No other person claimed to be the freehold owner of the land in question or 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 9 January, 1973. No person attended the hearing.

In the absence of any evidence I am not satisfied that any person is the owner of the land and it will therefore be subject to protection under section 9 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 *29th* day of *January* 1973.

a. a. Baden Fuller

Commons Commissioner