



In the Matter of Chalkpit, Bury Hill, Bury,
Chichester DC

DECISION

This reference relates to the question of the ownership of land known as Chalkpit, Bury Hill, Bury, Chichester DC being the land comprised in the Land Section of Register Unit No. CL 238 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 Bury Parish Council and West Sussex County Council each 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.

I held a hearing for the purpose of inquiring into the question of the ownership of the land at Chichester on 4 October 1979.

Mr Lester appeared for West Sussex County Council and Mr Wolstencroft and Mr Grinsted appeared for Bury Parish Council. The Parish Council produced an admirable Statutory Declaration made by Mr Grinsted on 13 July 1974 and the Bury Enclosure Award dated 8 November 1854 referred to in the Statutory Declaration whereby the land in question was allotted to the Churchwardens and the Overseer of the Parish of Bury. It is clear that during the period 1903 down to the present time the Parish Council has acted as the owner of the land in question and by a Conveyance dated 16 July 1962 it conveyed a small part thereof (hereafter called the County Land) to the Sussex County Council which said land is coloured pink on the plan annexed to this decision.

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

2nd

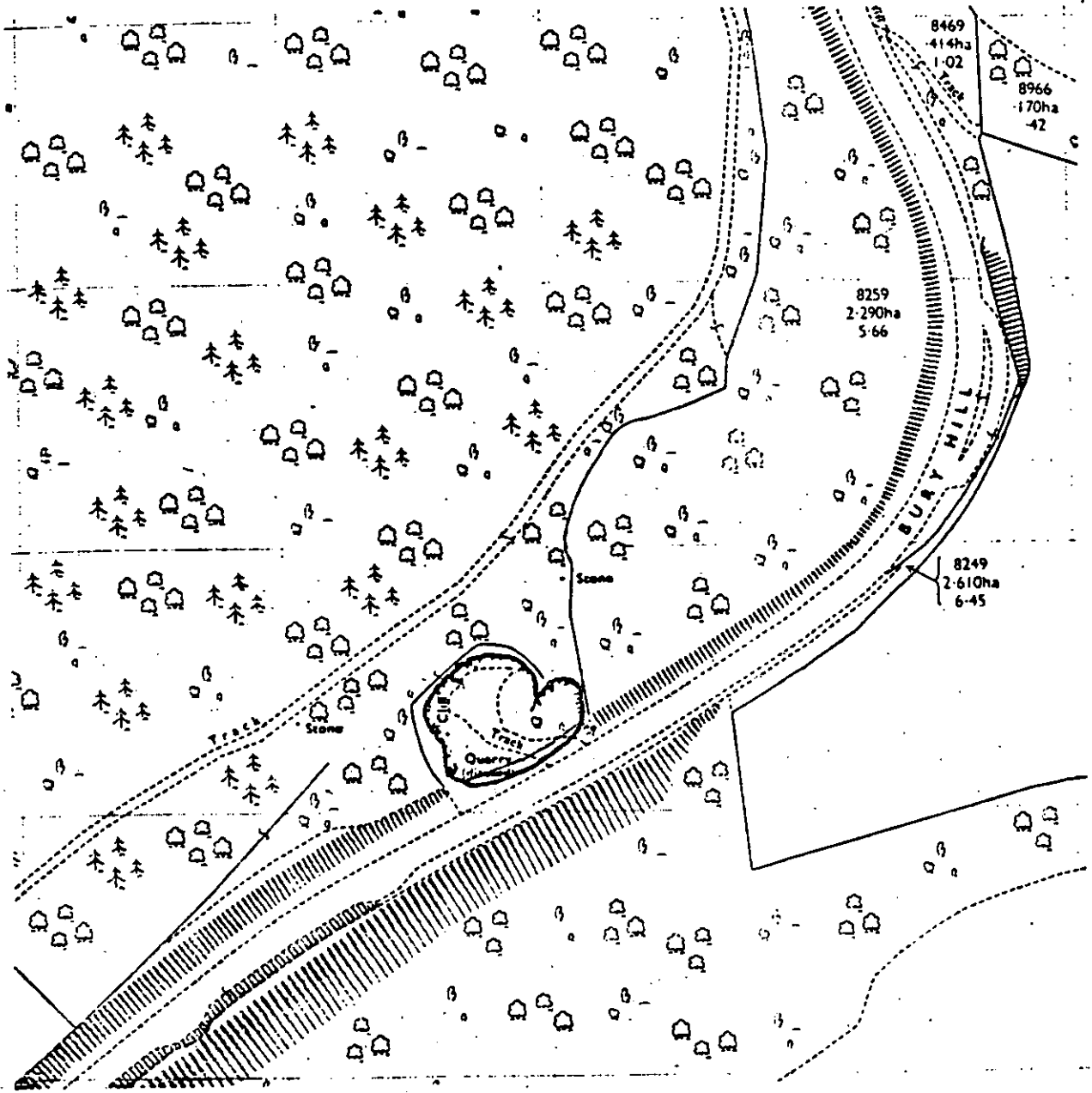
day of

November



1979

Y. A. Lettle

Commons Commissioners



KEY

-  COMMON
-  HIGHWAY LAND



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DATE	AMENDMENTS	NAME

West Sussex County Council
 COMMONS REGISTRATION ACT 1965
 CL 238
 Chalkpit, Bury Hill, Bury

WCS Harrison CBE ERD
 C Eng FICE FIHE
 County Engineer & Surveyor
 County Hall Tower St
 Chichester
 (Telephone Chichester 85100)
 SCALE 1:2500
 DRAWING No Ex. TQ0012