



COMMONS REGISTRATION ACT 1965

Reference No.38/U/59

In the Matter of Dial Green,  
Lurgashall, West Sussex (No.2).

DECISION

This reference relates to the question of the ownership of land known as Dial Green, Lurgashall, being the land comprised in the Land Section of Register Unit No.CL 205 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 G.F.Woodger 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 25th July 1974.

At that hearing evidence was adduced which satisfied me that Mr Woodger had at one time owned most of the land comprised in the Register Unit and that he had conveyed substantial parts of it to Lt.Col.T.W.Owen and Mr N.W.Hosp. Mr Woodger did not appear and was not represented, so that I had no evidence as to the present ownership of the remainder of his land not the subject of the conveyances to Col.Owen and Mr Hosp.

After receiving notice of my decision Mr Woodger explained the reason why his case had not been put before me at the hearing, and I granted his application to re-open the hearing in respect of the land not conveyed to Col.Owen or Mr Hosp.

I re-opened the hearing at Chichester on 18th June 1975, when I gave leave to Mr Woodger's brother-in-law, Mr J.R.Cory, to appear on his behalf.

Most of the land comprised in the Register Unit was the subject of a conveyance made 12th December 1950 between (1) David Liddon Howard (2) Glenister Frederick Woodger. The only parts of the land subsequently disposed of by Mr Woodger are those which he conveyed to Col.Owen and Mr Hosp.

On this evidence I am satisfied that Mr Woodger is the owner of the part of the land conveyed to him in 1950 and not conveyed by him to Col.Owen or Mr Hosp. I shall accordingly direct the West Sussex County Council, as registration authority, to register Mr Woodger as the owner of that part of the land under section 8(2) of the Act of 1965.

There still remain: some very small portions of the land comprised in the Register Unit which were not included in the conveyance to Mr Woodger and those portions will therefore remain subject to protection under section 9 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 7<sup>th</sup> day of July 1975

A handwritten signature in black ink, appearing to read 'C. J. Quibb', written over a horizontal line.

Chief Commons Commissioner