



COMMONS REGISTRATION ACT 1965

Reference No. 38/U/6

In the Matter of Flood Pond,
East Harting, Midhurst Rural
District, West Sussex.DECISION

41 M.R.

This reference relates to the question of the ownership of land known as Flood Pond, East Harting, Midhurst Rural District being the land comprised in the Land Section of Register Unit No. C.L. 51 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 no person claimed to be the freehold owner of the land in question and no 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 10 January, 1973. The hearing was attended by the Harting Parish Council who were represented by Major-General L.A. Hawes, one of their members; they could offer no evidence of their ownership. General Hawes also represented the Harting Society (an amenity society) of which he is the Chairman; They made no claim of ownership.

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 16 day of January 1973.

a. a. Baden Fuller

Corrected pursuant to Regulation 33 of Commons Regulations 1971
Commons Commissioner

Mati Roth
Commons Commissioner 24th August 1989