



In the Matter of Harting Down (parts), Harting,
West Sussex.

DECISION

This reference relates to the question of the ownership of parts of the land known as Harting Down, Harting, being the parts of the land comprised in the Land Section of Register Unit No. CL 45 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 one 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 17 February 1981.

At the hearing Mr K Frankling, solicitor, appeared on behalf of the personal representatives of Richard James Meade-Fetherstonhaugh, deceased.

The land in question consists of two areas, the larger to the north, concerning the ownership of which there is no evidence, and the smaller to the south, which was conveyed to the personal representatives of the late Mr Meade-Fetherstonhaugh by a deed made 16 January 1969 between (1) Margaret Isabel Frances, Lady Meade-Fetherstonhaugh, Sir Thomas Calderwood Dundas and John Herbert Meade (2) David Keith Price and Sir Jim Sothorn Holland, Jean Phyllis Meade-Fetherstonhaugh, Robert William Evelyn Baron Rockley, Hon John Francis Arthur St Aubyn and Robert Henry Cary Lyons.

On this evidence I am satisfied that the personal representatives of the late Mr Meade-Fetherstonhaugh are the owners of the smaller area of land and I shall accordingly direct the West Sussex County Council, as registration authority to register them as the owners of that part of the land under section 8(2) of the Act of 1965.

In the absence of any evidence I am not satisfied that any person is the owner of the larger area of land and that area will therefore remain 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

3rd

day of

March

1981

Chief Commons Commissioner