

COMMONS REGISTRATION ACT 1965



Reference No. 238/D/57

In the Matter of Iping Common,
(including Fitzhall Heath), Iping

DECISION

This dispute relates to the registration at Entry No. 1 in the Land Section of Register Unit No. CL 100 in the Register of Common Land maintained by the West Sussex County Council and is occasioned by Objection No. 207 made by Penfolds Builders Merchants Ltd and noted in the Register on 16 October 1970.

I held a hearing for the purpose of inquiring into the dispute at Chichester on 31 January 1979. The hearing was attended by Mr C P Storr and Mrs Mallory on behalf of the Stedham with Iping Parish Council and Mr Stafford on behalf of the Cowdary Trust. The Amey group Ltd, the successor to Penfolds Builders Merchants Ltd, did not appear. There are no Entries in the Rights Section and the land is owned in three parts by Viscount Cowdray, the Trustees of Leconfield Estate and the Amey group Ltd, and since it is unlikely that the Lordship is held by each of them, it is also unlikely that the whole of the land is manorial waste, and therefore common land. Notwithstanding what I have said above in the absence of the objector I confirm the Registration, but if requested so to do before the registration becomes final, I will reopen the hearing.

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 March 1979

Y. A. Little

Commons Commissioner