



COMMONS REGISTRATION ACT 1965

Reference Nos 238/D/173-176

In the Matter of Lodsworth Common, Lodsworth,
West Sussex (NO.2)

DECISION

These disputes relate to the registrations at Entry Nos 1-5 (inclusive) in the Rights section of Register Unit No. CL.62 in the Register of Common Land maintained by the West Sussex County Council and are occasioned by Objection No. 112 made by the Trustees of the Leconfield Estate and noted in the Register on 12 May 1970, Objection No. 369 made by the former County Surveyor and noted in the Register on 21 December 1970, Objection No. 37 made by the Cowdray Trust Ltd and the Dickinson Trust Ltd and noted in the Register on 7 March 1969, and Objection No. 73 also made by the Cowdray Trust Ltd and the Dickinson Trust Ltd and noted in the Register on 23 June 1969.

I held a hearing for the purpose of inquiring into the dispute at Chichester on 13 May 1980. The hearing was attended by Mr T J R Andrews, Solicitor, on behalf of Mr M L Belchamber, the successor in title of Mr M H Salaman, the applicant for the registration at Entry No 1. Mr A R Dickinson, the land agent of the Trustees of the Leconfield Estate, Mr R Stafford, the land agent of the Cowdray Trust Ltd and the Dickinson Trust Ltd, and Mrs G Frankland, the Commons Registration Officer of the County Council. There was no appearance by or on behalf of the applicants for the other registrations.

Mrs Frankland informed me that she was instructed not to pursue Objection No. 369.

Solicitors acting for Mr and Mrs M L Belchamber stated in a letter dated 19 June 1973 that their claim to rights was renounced.

Mr R C Hampel, the applicant for the registration at Entry No.2, stated in a letter dated 7 September 1976, addressed to Mr L N Walkiden at the Cowdray Estate Office, that he had no interest in the Common to the West of the Lodsworth/Lickfold Road.

Mr Dickinson stated in a letter dated 23 April 1980, addressed to the Solicitor of Lady Nathan, the applicant for the registration at Entry No.3, that the Trustees of the Leconfield Estate were prepared to 'withdraw' their Objection. There was no other outstanding Objection to this registration.

Mr Dickinson stated at the hearing that the Trustees' Objection to the registration at Entry No. 4 was "withdrawn". There was no other outstanding Objection to this registration.

Mr Stafford stated that it was agreed that the land over which the rights the subject of the registration at Entry No.5 should be exercisable should be confined to that east of the Lodsworth/Lickfold Road.

In these circumstances I refuse to confirm the registration at Entry No.1, I confirm the registrations at Entry Nos 3 and 4, and I confirm the registrations at Entry Nos 2 & 5 with the following modifications, namely, the substitution in each case of the words "part of the land comprised in this register unit on the east side of the Lodsworth/Lickfold Road" for the words "Whole of the land comprised in this register Unit".



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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

5th

day of

June

1980

Chief Commons Commissioner