



COMMONS REGISTRATION ACT 1965

Reference No 238/U/12

In the Matter of Manorial Waste (north
of the Plaistow-Loxwood road), Plaistow,
West Sussex

DECISION

This reference relates to the question of the ownership of land known as Manorial Waste on the north side of the Plaistow-Loxwood road, Plaistow being the land comprised in the Land Section of Register Unit No CL. 233 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 11 April 1978. At the hearing Mr G E Lee-Steere was represented by Mr D G Sills solicitor of Monier Williams & Keeling, Solicitors of London.

Mr Sills in the course of his evidence produced: (1) a statutory declaration made on 11 November 1970 by Mr F L Crow who as Land Agent was concerned in the management of the Jayes Estate first in 1905 as assistant to his father, and then in 1937 as partner and in 1966 as senior partner of the firm; (2) a vesting assent dated 13 December 1934 by which Mr C S Gordon Clark and others as personal representatives of Mr H C Lee-Steere (he died 27 March 1933) assented First to the Jayes Estate therein described and Secondly to the Manor of Plaistow vesting in Mr C A Lee-Steere; (3) a vesting assent dated 25 July 1946 made by Mr R T Monier-Williams and others as personal representatives of Mr C A Lee-Steere (he was reported missing on active service and was presumed killed on 27 May 1940) in favour of themselves of the hereditaments specified in the Schedule and all other (if any) the hereditaments vested in them as his personal representatives; and (4) a vesting deed dated 1 March 1962 by which Mr R H Monier-Williams and others conveyed to Mr G E Lee-Steere First the Manor of Plaistow and Secondly the Mansion House, Jayes Park and the farms and lands therein described.

Mr Sills said (in effect):- The land comprised in this Register Unit is road side waste by the side of the road from Plaistow to Ifold. Although the land is not included in that particularly described in the 1934 or 1946 assent or in the 1962 deed, the adjoining lands are so described and passed thereunder. He contended that the land in this Register Unit as waste land passed under the 1934 assent and the 1962 deed as part of the Manor thereby conveyed and under the 1946 assent as being within the general words. He relied particularly on



the 1970 declaration because this land is expressly included by Mr Crow in that shown on plan No 10 exhibited to his declaration and is expressly mentioned as: "strips on the north side of the road from Plaistow to Ifold".

On the evidence summarised above I am satisfied that Mr G E Lee-Steere is the owner of the land and I shall accordingly direct the West Sussex County Council as registration authority to register Mr Gordon Ernest Lee-Steere of Jayes Park, Ockley, Surrey as the owner of the land under section 8(2) 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 16th day of May — 1978

a. a. Baird-Jellie

Commons Commissioner