



COMMONS REGISTRATION ACT 1965

Reference No 238/U/25

In the Matter of Ovis Common,
Lodsworth, Chichester District,
West Sussex

DECISION

This reference relates to the question of the ownership of land being Manorial Waste known as Oving Common, Lodsworth, Chichester District being the land comprised in the Land Section of Register Unit No CL. 296 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.

The Cowdray Trust Limited and The Dickinson Trust Limited notified the County Council as registration authority that they claimed ownership. Following upon the public notice of this reference no other person claimed to be the freehold owner of the land in question or 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 The Cowdray Trust Limited and The Dickinson Trust Limited were represented by Mr R D Stafford chartered surveyor, assistant to Mr S N Walkden the Resident Agent at the Cowdray Estate Office, Midhurst.

Mr Stafford in the course of his evidence produced: (1) a conveyance dated 13 November 1919 by which W D (1st) Viscount Cowdray conveyed lands to The Cowdray Trust Limited upon trust for sale and upon the trusts of a settlement of even date, (2) and (3) appointments dated 4 October 1926 and 28 August 1953 under which The Dickinson Trust Limited became jointly with The Cowdray Trust Limited owners of the said lands, and (4) a statutory declaration made on 6 February 1951 by which Mr T Roberts who had then for 37 years held the office of Reeve of the Manor of (among other Manors) Ambersham and for 49 years been Head Forester of the Cowdray Estate.

The land comprised in this Register Unit is (according to the Register map) a strip about half a mile long and having a varying width of between about 300 and about 100 yards. Mr Stafford said it was mainly a chestnut coppice; some of its produce is regularly included in the annual underwood sales of the Estate. This land is included in the land coloured blue on the plan annexed to the 1919 conveyance and in the land coloured yellow on plan J referred to in the 1951 declaration.

On the evidence summarised above I am satisfied that the Trusts are the owners of the land and I shall accordingly direct the West Sussex County Council as registration authority to register The Cowdray Trust Limited and The Dickinson Trust Limited both of 17th Floor, Millbank Tower, London SW1P/4QZ as the owners 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 19th day of April — 1978

a. a. Baden Fuller

Commons Commissioner