



COMMONS REGISTRATION ACT 1965

Reference No. 38/U/10

In the Matter of Pitch Place on the
East Side of Hoyle Lane, Heyshott,
Midhurst R.D., West Sussex.

DECISION

This reference relates to the question of the ownership of land known as Pitch Place on the east side of Hoyle Lane, Heyshott, Midhurst Rural District being the land comprised in the Land Section of Register Unit No. C.L.60 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 Mr. C.C. Baillieu of Hoyle Farm, Heyshott in a letter dated 13 August, 1972, and written to the Clerk of the Commons Commissioners claimed to be the freehold owner of the land in question and no other 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 January, 1973. The hearing was attended by Heyshott Parish Council who were represented by their Clerk, Miss K.M.E. Murray.

Miss Murray told me that this land as appears from the Register map, consists of two small triangular pieces, of which the southern is mostly grass and the northern rough woodland with a pond (usually dry); the land is occasionally grazed, otherwise it is not used at all. She showed me a manuscript copy made by her father of the Parish Tithe Apportionment Award dated 24 December 1839; in the Award Hoyle Common (of which this land is a part) appears under the heading "Waste Land and Road" without any ownership being stated. The Parish Council had no evidence of ownership.

In the absence of any evidence I am not satisfied that any person is the owner of the land and it will therefore be 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 16th day of January 1973

a. a. Baden Fuller.

Commons Commissioner