



COMMONS REGISTRATION ACT 1965

Reference No.38/U/49

In the Matter of The Recreation Ground,
Bury, West Sussex.

DECISION

This reference relates to the question of the ownership of land known as The Recreation Ground, Bury, being the land comprised in the Land Section of Register Unit No.VG.30 in the Register of Town or Village Greens maintained by the former 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 the Bury Parish Council 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 25th July 1974.

At the hearing the Bury Parish Council was represented by Mr T.R.W. Longmore, solicitor.

By the Inclosure Award dated 8th November 1854, made under the Bury Inclosure Act of 1841 (4 & 5 Vict., c.4 (private)) the land the subject of the reference was allotted to the Churchwardens and Overseers of the Poor of the parish of Bury as a place of exercise and recreation for the inhabitants of the parish and neighbourhood. By sections 6(1)(c)(iii) and 67 of the Local Government Act 1894 the land was transferred to the Parish Council.

I am therefore satisfied that the Bury Parish Council is the owner of the land, and I shall accordingly direct the West Sussex County Council, as registration authority, to register the Parish Council 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 2nd day of August 1974

Chief Commons Commissioner