



COMMONS REGISTRATION ACT 1965

Reference No.38/U/54

In the Matter of The Slipway, Swanbridge,
Pulborough, Coldwaltham, West Sussex.

DECISION

This reference relates to the question of the ownership of land known as The Slipway, Swanbridge, Pulborough, Coldwaltham, being the land comprised in the Land Section of Register Unit No.VG.46 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 no person claimed to be the freehold owner of the land in question and no one 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 24th July 1974.

There was no appearance at the hearing, but following the public notice of the hearing both Mr A.V.Corden and the Coldwaltham Parish Council claimed the ownership of the land in question. However, Mr Corden stated that he was willing to transfer the land "pro bono publico", as he put it, but he asked that it should be vested in the Pulborough Parish Council, since it is on the north side of the river.

The parish boundary is in the middle of the river to the west of Pulborough Bridge, but at the bridge it turns northwards and to the east of the bridge the river frontage is in the parish of Coldwaltham. I am therefore precluded by section 8(5)(c) of the Act of 1965 from vesting this land in the Pulborough Parish Council.

Since neither Mr Corden nor the Coldwaltham Parish Council adduced any evidence to support their respective claims, I am not satisfied that any person is the owner of the land, and I shall accordingly direct the West Sussex County Council, as registration authority, to register the Coldwaltham Parish Council as the owner of the land under section 8(3) 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

18th

day of

August

1974

Chief Commons Commissioner