



COMMONS REGISTRATION ACT 1965

Reference No. 37/U/22

In the Matter of Foulride Green,
Lower Willingdon, East Sussex.

DECISION

This reference relates to the question of the ownership of land known as Foulride Green, Lower Willingdon, being the land comprised in the Land Section of Register Unit No.C.L.57 in the Register of Common Land maintained by the East 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 Barclays Bank Trustee Department claimed to be the freehold owner of the land in question as Trustee of the estate of the late William Erskine Mawhood, deceased and Mr. D.A. Vine 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 Lewes on 29th November 1972.

At the hearing Mr. J.A. Fairclough, solicitor, appeared for Mr. D.A. Vine, as successor in title of Barclays Bank Trust Company Ltd under a conveyance dated 20th November 1972.

The late Mr. W.E. Mawhood was the Lord of the Manor of Willingdon and was as such the owner of the waste or common of the Manor. The Lordship of the Manor and the waste or common of the Manor ~~was~~ included in the conveyance to Mr. Vine dated 20th November 1972.

There was produced to me a manor roll (in volume form) from which it appeared that in 1932 a part of Foulride Green was taken for the construction of the London to Eastbourne road. I can see no reason for differentiating between the part of the Green which was then taken and the remaining portion, which is the land in question in these proceedings. The land taken was clearly parcel of the Manor of Willingdon and in my view the remaining portion then was and now is part of the waste or common of the Manor.

For these reasons I am satisfied that Mr. Vine is the owner of the land, and I shall accordingly direct the East Sussex County Council, as registration authority, to register Mr. David Aubrey Vine 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 7th day of December 1972


Chief Commons Commissioner