



COMMONS REGISTRATION ACT 1965

Reference No. 38/U/18

In the Matter of Bell Lane, Kingsley
Green, Fernhurst, Midhurst R.D. West Sussex

DECISION

This reference relates to the question of the ownership of land on either side of Bell Lane, Kingsley Green, Fernhurst, Midhurst Rural District being the land comprised in the Land Section of Register Unit No. CL91 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 no person claimed to be the freehold owner of the land in question and no 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 the Fernhurst Parish Council who were represented by Mr. H. Merritt who is their chairman. Mr. R.G. Pape who is their clerk was present.

Mr. Merritt said: the land is a roadside verge; the Parish Council sometime ago erected a lamp post on it and has since paid for the electricity consumed; the Parish Council could offer 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 Commissioner's 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

January

1973

a. a. Baden Fuller

Commons Commissioner