



COMMONS REGISTRATION ACT 1965

Reference No. 38/U/53

In the Matter of Broadbridge Heath Recreation Ground,
Horsham Rural and Warnham, West Sussex.

DECISION

This reference relates to the question of the ownership of land known as Broadbridge Heath Recreation Ground, Warnham, being the land comprised in the Land Section of Register Unit No. VG 39 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, but the Clerk of the Warnham Parish Council 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 19 June 1975.

At the hearing the Horsham Rural Parish Council was represented by its Clerk, Mr J H Pollard.

Before the hearing the Clerk of the Warnham Parish Council stated in a letter that the land the subject of the reference had been sold to the Horsham Parish Council in 1970. Mr Pollard produced a conveyance to his Council dated 10 July 1969, but on investigation it was found to relate to some other land. Enquiries made by Mr Pollard since the hearing have failed to produce any evidence of the existence of a conveyance of this land in 1970.

In the absence of any evidence 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 Horsham Rural Parish Council and the Warnham Parish Council as the owners of the parts of the land situate in their respective parishes under section 8(3) of the Act of 1965. I regret having to take this course in view of the disclaimer by the Warnham Parish Council of any interest in the land, but section 8 leaves me with no alternative. Fortunately, the practical result of this decision is unlikely to be seriously inconvenient, since all but a small triangle of the land in the north-western corner is situate in the parish of Horsham Rural.

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 30th day of November 1976

Chief Commons Commissioner