



COMMONS REGISTRATION ACT 1965

Reference No.38/U/26

In the Matter of Brookside Waste,  
Lodsworth, West Sussex.

DECISION

This reference relates to the question of the ownership of land known as Brookside Waste, Lodsworth, being the land comprised in the Land Section of Register Unit No.CL.143 in the Register of Common Land 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 23rd July 1974.

Mr. C.H. Barnes, the Clerk of the Lodsworth Parish Council, and Mr. K.J. Mackenzie, the applicant for the registration, appeared at the hearing, but neither was able to adduce any evidence as to the ownership of the land in question. Mr. Mackenzie informed me that his reason for applying for the registration was to place on record his claim to a right of way over the land.

In the absence of any evidence I am not satisfied that any person is the owner of the land and it will therefore remain subject to protection under section 9 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

1st

day of

August

1974

Chief Commons Commissioner



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section 8(2) of the Act of 1965.

In the absence of any evidence as to the ownership of the rest of the land I am not satisfied that any person is the owner of that part of the land and it will therefore remain subject to protection under section 9 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 30<sup>th</sup> day of

July

1974

A handwritten signature in black ink, appearing to read 'J. G. Smith', written over a horizontal line.

Chief Commons Commissioner