



In the matter of Durrant's Pond, Wardley, Milland, West Sussex.

DECISION

This reference relates to the question of the ownership of land known as Durrant's Pond, Wardley, Milland, being the land comprised in the Land Section of Register Unit No. CL 300 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 Ashton Ltd claimed to be the freehold owner of the land in question and no other 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 18 February 1981.

At the hearing Ashton Ltd was represented by Mr V A G Tregear, solicitor, and the West Sussex County Council was represented by Mrs G Frankland, its Commons Registration Officer.

The whole of the land in question was formerly in the ownership of Viking Holdings Ltd, which had a good root of title in a conveyance made 10 August 1950 made between (1) Maurice Richard Thomas Knight (2) Ronald Arthur Mason (3) Irene Margaret Riley. By a conveyance made 31 October 1969 Viking Holdings Ltd conveyed to the former West Sussex County Council a narrow strip of the land having an area of 0.8 ac adjoining the road. The remainder of the land was conveyed by Viking Holdings Ltd by a conveyance made 30 July 1975 between (1) Viking Holdings Ltd (2) Beryl Marquis Colquhoun and to Ashton Ltd by a conveyance made 23 June 1979 between (1) B M Colquhoun (2) Ashton Ltd.

On this evidence I am satisfied that Ashton Ltd and the West Sussex County Council are the owners of parts of the land, and I shall accordingly direct the West Sussex County Council, as registration authority, to register Ashton Ltd and the County Council as the owners of their respective parts 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

3rd

day of

March

1981

Chief Commons Commissioner