



In the Matter of Manorial Waste, Plaistow,
West Sussex

DECISION

This reference relates to the question of the ownership of land known as Manorial Waste, Plaistow, being the part of the land comprised in the Land Section of Register Unit No. CL 157 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 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 7 May 1982.

At the hearing Mr G E Lee-Steere appeared in person, but on inspecting the Register Map he informed me that he did not own any of the land the subject of the reference.

After the hearing it was discovered that the copy of the Register Map which had been shown to Mr Lee-Steere was incomplete and that there was land on another part of the Register Map of which Mr Lee-Steere did claim to be the owner. Since Mr Lee-Steere was the only person who appeared at the hearing, I decided that it was not necessary to re-open the hearing, and I have considered the matter on the basis of certified copies of Mr Lee-Steere's documents of title.

The land the subject of the reference includes two strips of roadside waste on the north side of the road from Plaistow to Ifold.

There are no registrations in the Rights Section of the Register Unit, so these strips of land can only fall within the definition of "Common Land" in section 22(1) of the Act of 1965 by being waste land of a manor.

To the north of the strips is land forming part of Plaistow Place Farm. Plaistow Place Farm and the manor or lordship of Plaistow together with all other (if any) the lands and property vested in the trustees under the trusts of a settlement created by the will of Henry Charles Lee-Steere, which was proved on 19 July 1933, were vested in Mr G E Lee-Steere by a vesting deed made 1 March 1962 between (1) Randall Herbert Monier-Williams, Norman Smithers and Patience Hargreaves Lee-Steere (2) Gordon Ernest Lee-Steere. This property formed part of an estate, known as Jayes Estate, which has been in existence for many years. Plans of the Estate were destroyed when the offices of the Estate Solicitors, Messrs Monier-Williams and Milroy were bombed in 1941, but on 11 November 1970 Mr F L Crow, who had known the Estate since 1905, during which time his firm had acted as agents to the successive owners of the Estate, made a Statutory Declaration in which he stated that the two strips of roadside waste in question had been enjoyed as waste of the manor of Plaistow at least since the year 1905 and that he had never heard of any adverse claim to them.



On this evidence I am satisfied that Mr Lee-Steere is the owner of the land, and I shall accordingly direct the West Sussex County Council to register him as the owner of the land under section 8(2) of the Act of 1965.

In the absence of any evidence I am not satisfied that any person is the owner of the remainder of the land the subject of the reference, which 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

2nd

day of

July

1982

Chief Commons Commissioner