



COMMONS REGISTRATION ACT 1965

Reference No. 238/U/38

In the Matter of part of Marley Common,
Linchmere, Chichester D

DECISION

This reference relates to the question of the ownership of land known as part of Marley Common, Linchmere, Chichester D, being the land comprised in the Land Section of Register Unit No. CL 244 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, the Cowdray Trust Ltd and the Dickinson Trust 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 4 October 1979.

Mr R D Stafford appeared for the Cowdray Trust Ltd and the Dickinson Trust Ltd and produced a conveyance dated 13 November 1919, whereby Viscount Cowdray conveyed the land in question, identified by the plan attached to that conveyance to the Cowdray Trust Ltd and two appointments of Trustees dated respectively 4 October 1926 and 28 August 1953. By that last mentioned appointment the Dickinson Trust Ltd was appointed a Trustee of the Cowdray Trust constituted by the said conveyance dated 13 November 1919 to act together with the Cowdray Trust Ltd.

On this evidence I am satisfied that the Cowdray Trust Ltd and the Dickinson Trust Ltd are the owners of the land, and I shall accordingly direct the West Sussex County Council, as registration authority, to register them as the owners of the land under section 9(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 2nd day of November 1979

J. A. Little

Commons Commissioner