



COMMONS REGISTRATION ACT 1965

Reference No. 238/U/57

In the Matter of Roundstreet Common
(Part), Loxwood, West Sussex.

DECISION

This reference relates to the question of the ownership of land known as Roundstreet Common (part), Loxwood, being the land comprised in the Land Section of Register Unit No. CL 52 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 Lilian, Lady Kitchen, Major and Mrs R P Parcell, and Mr and Mrs J G Piper claimed to be the freehold owners of parts of the land in question and no other person claimed to have information as to its ownership.

Mr Commissioner Settle, Q.C., held a hearing for the purpose of inquiring into the question of the ownership of the land at Chichester on 5 October 1979, but died without having given his decision. In pursuance of reg. 29 of the Commons Commissioners Regulations 1971 I held a further hearing at Chichester on 12 May 1980.

At the hearing Lady Kitchen was represented by Mr A V Gooderham, Solicitor, and Major and Mrs Parcell and Mr and Mrs Piper by Mr R. Allen, Solicitor.

The land comprised in the Register Unit was formerly part of the Waste Lands of the Manor of Bury held by the trustees of the Duke of Norfolk's Settled Estates. After the sale of the Duke's rights as Lord of the Manor in 1932, parts of the land passed by divers mesne assignments to Mr Gooderham's and Mr Allen's clients.

Lady Kitchen acquired her part by a conveyance made 13 November 1977 between (1) Andrew Gordon Leonard Puckle, (2) Sir Geoffrey Kitchen and Lady Lilian Joan Kitchen his wife.

Major and Mrs Parcell acquired their part by a conveyance made 25 June 1963 between (1) Leonard Kenyon and Mary Elizabeth Kenyon his wife (2) Ronald Peter Parcell and Margaret Jean Parcell his wife.

Mr and Mrs Piper acquired their part by a conveyance made 5 June 1972 between (1) William Sidney Bridger (2) John Graham Piper and Kay Piper his wife.

On this evidence I am satisfied that Lady Kitchen, Major and Mrs Parcell, and Mr and Mrs Piper are the owners of parts of the land, I shall accordingly direct the West Sussex County Council, as registration authority, to register them as the owners of parts 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, and it will therefore remain subject to protection under section 9 of the Act of 1965.



-2-

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

19th

day of

June

1980

Chief Commons Commissioner