



COMMONS REGISTRATION ACT 1965

Reference No. 238/U/6

In the Matter of The Sandpit, Coates Common, Bury,
West Sussex.

DECISION

This reference relates to the question of the ownership of land known as The Sandpit, Coates Common, Bury, being the land comprised in the Land Section of Register Unit No. CL 236 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 Bury Parish Council 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 11th June 1976.

At the hearing the Bury Parish Council was represented by Mr B R James, solicitor.

The land the subject of this reference was allotted by the Inclosure Award, made 8th November 1854 under the Bury Inclosure Act of 1841 (4 & 5 Vict. c.4 (private)) to the Churchwardens and Overseers of the parish of Bury for a sandpit. The property of the Churchwardens and Overseers was transferred to the Parish Council by sections 6(1)(c)(iii) and 67 of the Local Government Act 1894. It appears from the minute books of the Parish Council that the Council has continually exercised rights of ownership over the land in question since the transfer.

For these reasons I am satisfied that the Bury Parish Council is the owner of the land, and I shall accordingly direct the West Sussex County Council, as registration authority, to register the Parish Council as the owner of the land under section 8(2) ~~of~~ 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 8 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 1976

Chief Commons Commissioner