COMMONS REGISTRATION ACT 1965

Reference No.38/U/32

In the Matter of Bowling Green, Cowfold, West Sussex (No.2).

DECISION

This reference relates to the question of the ownership of land known as Bowling Green, Cowfold, being the land comprised in the Land Section of Register Unit No.CL 164 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 Miss B.M.Otter 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 23rd July 1974.

There was no appearance at the hearing and I was therefore not satisfied that any person was the owner of the land.

After I had given my decision I granted an application by the Cowfold Parish Council to set aside my decision and re-open the hearing.

I re-opened the hearing at Chichester on 19th June 1975, when the Parish Council was represented by its Clerk, Mr C.K.Steed.

The land in question was the subject of a conveyance made 30th December 1963 between (1) Patrick Forrester John Colvin (2) Barbara Marion Otter and a deed of gift made 12th May 1973 between (1) B.M.Otter (2) Cowfold Parish Council.

On this evidence I am satisfied that the 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 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 7th day of July 1975

Chief Commons Commissioner