



COMMONS REGISTRATION ACT 1965

Reference Nos.37/D/44-49

In the Matter of Dunes and Saltings,
Camber, East Sussex.

DECISION

These disputes relate to the registration at Entry No.1 in the Land Section of Register Unit No.VG 63 in the Register of Town or Village Greens maintained by the former East Sussex County Council and are occasioned by Objection No.37 made by the Crown Estate Commissioners and noted in the Register on 13th August 1970, Objection No.160 made by the County Council and noted in the Register on 19th April 1971, Objection No.176 made by the Battle Rural District Council and noted in the Register on 7th December 1971, Objection No.185 made by the Kent River Authority and noted in the Register on 28th April 1972, Objection No.186 made by Rye Golf Club Ltd and noted in the Register on 28th April 1972, and Objection No.210 made by the County Council as highway authority, and noted in the Register on 14th August 1972.

I held a hearing for the purpose of inquiring into the disputes at Lewes on 10th April 1975. The hearing was attended by Mr B.P.M.Bayliss, the applicant for the registration, Mr P.J.Sher, of counsel, on behalf of the Crown Estate Commissioners, Mr W.J.P.Clements, solicitor, on behalf of the East Sussex County Council, and Mr A.B.Dawson, of counsel, on behalf of the Southern Water Authority, the successor of the Kent River Authority, and Rye Golf Club Ltd.

Mr Bayliss informed me that, having discussed the matter with the advisers of the Objectors, he did not wish to pursue his application.

In these circumstances I refuse to confirm the registration.

Mr Sher and Mr Dawson applied for orders for costs against Mr Bayliss. So far as the Water Authority's costs are concerned, this case seems to me to be indistinguishable from In the Matter of Middle Salts, Rye (1975), Ref.No.37/D/21, and I shall therefore order Mr Bayliss to pay the Water Authority's costs on County Court Scale 4. So far as the other Objectors' costs are concerned, Mr Bayliss does not appear to have been so clearly at fault. In this respect I find this case indistinguishable from In the Matter of South Bank, Rye (1975), Ref.Nos.37/D/26-28 and I shall therefore make no other order as to costs.

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 30th day of April 1975

Chief Commons Commissioner