



COMMONS REGISTRATION ACT 1965

Reference No.37/D/51

In the Matter of Furner's Green,  
Danehill, East Sussex.

DECISION

This dispute relates to the registration at Entry No.1 in the Land Section of Register Unit No.VG 65 in the Register of Town or Village Greens maintained by the former East Sussex County Council and is occasioned by Objection No.217 made by Mr W.G.Huggett and noted in the Register on 14th August 1972.

I held a hearing for the purpose of inquiring into the dispute at Lewes on 20th November 1974. The hearing was attended by Mr Huggett. There was no appearance on behalf of the Ramblers' Association which applied for the registration, but on 7th November 1974 the Secretary of the Association wrote to the Clerk of the Commons Commissioners, with a copy to Mr Huggett, stating that the Association did not wish to contest the Objection.

In these circumstances I refuse to confirm the registration.

Mr Huggett asked me to make an order for costs.

The Ramblers' Association applied for the registration on 17th December 1969 and must have received notice of Mr Huggett's Objection under section 5(4) of the Commons Registration Act 1965 shortly after it was made on 14th August 1972. On 3rd December 1973 the Clerk of the Commons Commissioners gave notice to the Association of the reference of the dispute under regulation 10 of the Commons Commissioners Regulations 1971, and on 7th October 1974 he gave notice to the Association of the date of the hearing. There was no communication from the Association until the letter of 7th November 1974, in which it is stated that "we have reviewed our evidence in the light of the recent decisions by the Commons Commissioners".

In my view the Association, knowing of Mr Huggett's Objection, ought to have reviewed the evidence at a much earlier date. I shall, therefore, order the Association to pay Mr Huggett's costs on County Court Scale 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 16<sup>th</sup> day of December 1974

Chief Commons Commissioner