



COMMONS REGISTRATION ACT 1965

Reference Nos.37/D/30-32

In the Matter of Land at Reighton,
Playden, East Sussex.

DECISION

These disputes relate to the registration at Entry No.1 in the Land Section of Register Unit No.VG 61 in the Register of Town or Village Greens maintained by the former East Sussex County Council and are occasioned by Objection No.35 made by the Crown Estates Commissioners and noted in the Register on 13th August 1970, Objection No.183 made by the Kent River Authority and noted in the Register on 28th April 1972, and Objection No.187 made by Mrs B.Donovan and noted in the Register on 28th April 1972.

I held a hearing for the purpose of inquiring into the dispute at Lewes on 9th and 10th April 1975. The hearing was attended by Mr B.P.M.Bayliss, the applicant for the registration, Mr S.J.Sher, of counsel, on behalf of the Crown Estates Commissioners, and Mr A.B.Dawson, of counsel, on behalf of the Southern Water Authority, the successor of the Kent River Authority, and Mrs Donovan.

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. I am only prepared to order an applicant such as Mr Bayliss to pay costs if he has clearly been at fault in the conduct of the proceedings. 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. Otherwise there will be no 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