



COMMONS REGISTRATION ACT 1965

Reference No.37/D/25

In the Matter of Land between Love Lane  
and Ferry Road, Rye, East Sussex.

DECISION

This dispute relates to the registration at Entry No.1 in the Land Section of Register Unit No.VG 57 in the Register of Town or Village Greens maintained by the former East Sussex County Council and is occasioned by Objection No.170 made by the former Rye Borough Council and noted in the Register on 7th October 1971.

I held a hearing for the purpose of inquiring into the dispute at Lewes on 9th April 1975. The hearing was attended by Mr B.P.M.Bayliss, the applicant for the registration, and by Mr J.G.Milward, solicitor, on behalf of the Rother District Council.

The land the subject of the reference consists of a path, mostly on an embankment, but with some narrow areas of grass alongside. There has been some use of the land for picnics, mainly by visitors, and for unorganized games, mainly by children, and children fish in the adjoining river from it. It is also a popular place for exercising dogs. There are also some seats placed on it by the former Borough Council, which owned it as corporate property. The evidence regarding the use of the land adjoining the path is very nebulous, and I find myself quite unable to find that the inhabitants of any definable locality have indulged in lawful sports and pastimes as of right. Indeed, it appeared from Mr Bayliss's evidence that he was more concerned about the preservation of the trees and the amenities of a pleasant walk rather than a right to indulge in sports and pastimes.

For these reasons I refuse to confirm the registration.

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 29<sup>th</sup> day of April 1975

Chief Commons Commissioner