



COMMONS REGISTRATION ACT 1965

Reference No^s 37/D/1

37/D/2

In the Matter of Shepherds Gate,
Coleman's Hatch, Hartfield, Uckfield R.D.
East Sussex

DECISION

These disputes relate to the registration (37/D/1) at Entry No 2 and (37/D/2) at Entry No 1 in the Rights section of Register Unit No CL 18 in the Register of Common Land maintained by the East Sussex County Council and are both occasioned by Objection No 123 made by Mr Jocelyn Harvey Drew and noted in the Register on 30 October 1970.

All the persons entitled to be heard at the hearing of these disputes have agreed upon the terms of the decision to be given by me and have sent to the Clerk of the Commons Commissioners particulars of such terms signed by or on behalf of all such persons, such terms being that the Commons Commissioner do confirm the registration of common rights over the above mentioned land made in consequence of the application made by Mr J Humphrey and Messrs H & F Humphrey and to give his decision in accordance with such request without a hearing. The said terms included a statement: "There is no person who has succeeded to the interest or any part of the interest of the signatories to the document".

I held a hearing for the purpose of inquiring into these disputes at Lewes on 6 March 1973. The hearing was attended by Mr Jack Humphrey in person (he and his wife Mrs Ellen Florence Humphrey had made the application resulting in the said Entry No 1), by the Hartfield Parish Council who were represented by Captain D H F Armstrong their chairman and by Mr Reginald Glover in person (he is a member of the Parish Council).

At the hearing the said terms sent to the Clerk of the Commons Commissioners were produced. They were signed on behalf of Mr Drew, by Mr J Humphrey and by Messrs H & F Humphrey (they had made the application resulting in the said Entry No 2), but not by Mrs E F Humphrey. A copy of the said terms signed by her has since been sent to the Clerk of the Commons Commissioners.

Mr J Humphrey stated he & Mrs E F Humphrey still owned Edgemount and Messrs Harry & Frederick Humphrey who are his brothers, still owned North Clays Farm these properties being the lands to which the registered rights are attached.

In the above circumstances, I am satisfied that there is no person who has succeeded to the interest, or part of the interest of any other person and I am willing to give a decision in accordance with the proposed terms. I accordingly confirm the said registrations without any modification.

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 14th day of March 1973

a. a. Baden Fuller

Commons Commissioner