



COMMONS REGISTRATION ACT 1965

Reference Nos 37/D/69-70

In the Matter of Telscombe Tye (part),  
Telscombe, East Sussex (No.2)

DECISION

These disputes relate to the registrations at Entry Nos. 1 and 2 in the Rights section of Register Unit No. CL.23 in the register of Common Land maintained by the former East Sussex County Council and are occasioned by Objection Nos 31 and 32 made by the late Mrs D Neville and Mr R C Neville and both noted in the Register on 13 August 1970.

I held a hearing for the purpose of inquiring into the dispute at Lewes on 14 and 15 March 1979, and at Watergate House, London WC2 on 2 March 1979. The hearing was attended by Miss Sheila Cameron, of Counsel, on behalf of the Trustees of the Charity known as Gorham's Gift, the applicants for the registration at Entry No. 1, by Mr A J Turner, Solicitor, on behalf of the Minister of Agriculture, Fisheries and Food, the applicant for the registration at Entry No. 2, and by Mr Ian McCulloch, of Counsel, on behalf of Mr Neville.

Since the land comprised in this Register Unit was given in exchange for land formerly subject to the same rights as the land the subject of my decision in In the Matter of Telscombe Tye, Telscombe (No. 1) (1979) 37/D/61-63 and is subject to those rights, for the reasons given in that decision I confirm the registration at Entry No. 1 with the following modifications: namely, the substitution of the figure and word "252 sheep" for the figures and words "222 Ewes and 77 tegs" and the deletion of the words "and estovers", and I confirm the registration at Entry No. 2 without modification.

Miss Cameron asked for an order for costs against the Objector should the registration at Entry No. 1 be confirmed. In my view, the proper order is that the Objector should pay half the costs of the Gorham Trustees to be taxed on County Court Scale 4, if not agreed.

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 17<sup>th</sup> day of May 1979

*G. G. G. G.*  
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 Chief Commons Commissioner