



COMMONS REGISTRATION ACT 1965

Reference No.37/U/70

In the Matter of The Greensward,
Deneside, East Dean, East Sussex.

DECISION

This reference relates to the question of the ownership of land known as The Greensward, Deneside, East Dean, being the land comprised in the Land Section of Register Unit No.VG 40 in the Register of Town or Village Greens maintained by the former East Sussex County Council of which no person is registered under section 4 of the Commons Registration Act 1965 as the owner.

Following upon the public notice of this reference no person claimed to be the freehold owner of the land in question, but the former Hailsham Rural District Council claimed to have information as to its ownership.

I held a hearing for the purpose of inquiring into the question of the ownership of the land at Lewes on 21st November 1974.

At the hearing the East Dean Parish Council was represented by Mr L.B.Hubbard, its Clerk. As a result of the information given by the Rural District Council it was discovered that practically the whole of the land the subject of the reference belongs to Leightons (Contractors) Ltd, whose title is registered under the Land Registration Acts 1925 and 1936. I have no jurisdiction in respect of land so registered. There was no evidence as to the ownership of the very small remaining piece of land.

In the absence of any evidence I am not satisfied that any person is the owner of the unregistered part of the land, and I shall accordingly direct the East Sussex County Council, as registration authority, to register the East Dean Parish Council as the owner of the land under section 8(3) of the Act of 1965.

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 16th day of December 1974

Chief Commons Commissioner