



COMMONS REGISTRATION ACT 1965

Reference No. 37/U/4

In the Matter of The Village Green,  
Cade Street, Heathfield, East Sussex.

DECISION

This reference relates to the question of the ownership of land known as The Village Green, Cade Street, Heathfield, being the land comprised in the Land Section of Register Unit No. V.G.6 in the Register of Town or Village Greens maintained by the 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 the Heathfield Parish Council claimed to be the freehold owner of the land in question and no other person 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 28th November 1972.

At the hearing Mr. H.J.A. Swann, solicitor, appeared for the Parish Council. Mr. Swann produced a Lease dated 15th December 1896, whereby Gilbert George Reginald, Earl De La Warr let half an acre of land known as Heathfield Green to the Parish Council for a term of 21 years. Mr. Swann also produced a Conveyance dated 24th May 1922, whereby Herbrand Edward Dundonald Brassey, Earl De La Warr conveyed to the Parish Council land similarly described. Since neither document refers to a plan, Mr. Swann also produced a statutory declaration by Mr. Herbert Salter, who was born in Heathfield in 1910 and has lived in the parish all his life. I am satisfied from this declaration that the land conveyed to the Parish Council in 1922 was the land now comprised in the Register Unit.

For these reasons I am satisfied that the Parish Council is the owner of the land, and I shall accordingly direct the East Sussex County Council, as registration authority, to register the Heathfield Parish Council as the owner of the land under section 8(2) 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 6th day of December 1972

  
Chief Commons Commissioner