



COMMONS REGISTRATION ACT 1965

Reference Nos. 214/D/53 to 57
inclusive

In the Matter of Weavers Down Pt,
Rogate, Chichester D.

DECISION

These disputes relate to the Entry at No. 1 in the Land Section and Entry Nos. 2, 3, 7 and 8 in the Rights Section of Register Unit No. CL.53 in the Register of Common Land maintained by the Hampshire County Council and are occasioned by Objection No. OB 486 made by Mr K M Wood and noted in the Register on 28 January 1971 and Objection No. OB 188 made by Mr G S Green and noted in the Register on 1 June 1970.

I held a hearing for the purpose of inquiring into these disputes at Chichester on the 16 and 17 December 1975.

The hearing was attended by Mr Roddis, counsel, instructed by Messrs T Eggar & Son on behalf of Mr Wood, Mrs Gollan on behalf of Milland Parish Council and Mrs Ralph, Mr Slocum on behalf of himself and Mrs Nepham, Mr Moss and Mr Green in person.

This hearing immediately followed the hearing relating to Unit No. CL.90 at which there were produced the sale particulars of the late Lord Justice Cotton's Forest Mere Estate which established that this Unit CL.53 and Unit CL.90 were all comprised in one common in 1894. In the light of this evidence it was accepted by all those attending the hearing that I should confirm the Entry at No. 1 in the Land Section of the Register modified insofar as may be necessary to accord with the plan annexed to my decision relating to CL.90 and to exclude if not already excluded by the said modification the land coloured pink on the plan annexed to Mr Green's Objection No. OB 188. I therefore confirm the said Entry in the Land Section modified as aforesaid.

It was further accepted by all those attending that insofar as I confirmed any rights claimed over CL.90 any such claimants who also claimed rights over CL.53 should have identical rights over CL.53. For this reason I confirm the Entry at No. 2 in the Rights Section modified so as to be limited to (1) A right to graze 6 cattle, (2) A right of estovers and (3) A right to cut and take bracken after the 1st September in each year.

I confirm the Entry at No. 3 in the Rights Section modified so as to be limited to a right of estovers

I confirm the Entry at No. 7 in Rights Section modified so as to be limited to a right of estovers

I confirm the Entry at No. 8 in the Rights Section.

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 23 day of January 1976

C A Sefton
Commons Commissioner