



COMMONS REGISTRATION ACT 1965

Reference No. 238/D/134

In the Matter of Bignor Hill (The Down),
Bignor, West Sussex (No. 1)

DECISION

This dispute relates to the registration at Entry No. 1 in the Land Section of Register Unit No. CL 113 in the Register of Common Land maintained by the West Sussex County Council and is occasioned by Objection No. 353 made by the former County Surveyor and noted in the Register on 17 December 1970.

I held a hearing for the purpose of inquiring into the dispute at Chichester on 21 June 1979. The hearing was attended by Mrs G Frankland, the Commons Registration Officer of the County Council, and by Mr T R W Longmore, Solicitor, on behalf of Messrs H Tupper and Son, the applicants for the registration in the Rights Section of the Register Unit.

The registration was made by the former West Sussex County Council, as registration authority, without application, and the Objection relates to only a small part of the land comprised in the Register Unit. However, Mr Longmore informed me that the registration in the Rights Section of the Register Unit had been made in error and invited me to refuse to confirm the registration the subject of this dispute. Since the County Council as registration authority and the other parties entitled to be heard with regard to this registration were unaware that there was any question as to the greater part of the land, I did not feel that it would be right for me to accede to Mr Longmore's application in their absence. I therefore adjourned the matter.

I have now been furnished with a letter from the Chichester District Council, dated 9 August 1979, stating that they are happy to give their consent and a letter from the West Sussex County Council, dated 6 September 1979, stating that the Rights of Way Sub-Committee had approved the deletion of the Register Unit from the Register.

In these circumstances I refuse to confirm the registration.

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

9th

day of

November

1979

CHIEF COMMONS COMMISSIONER