



In the Matter of Bignor Hill, 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 112 in the Register of Common Land maintained by the West Sussex County Council and is occasioned by Objection No 482 made by the former County Surveyor and noted in the Register on 16 March 1971.

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

The Objection related to only a small part of the land comprised in the Register Unit, but Mr Fitzgerald and Mr Longmore informed me that the registrations in the Land and Rights sections of the Register Unit were made in error and invited me to refuse to confirm them.

Since the County Council as registration authority and the other parties entitled to be heard with regard to the registration the subject of this dispute were unaware that there was any question as to the registration of the greater part of the land, I did not feel that it would be right for me to accede to the application made by Mr Fitzgerald and Mr Longmore in the absence of those parties. 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

2nd

day of November 1979

CHIEF COMMONS COMMISSIONER