



COMMONS REGISTRATION ACT 1965

Reference Nos 238/D/39
238/D/40

In the Matter of Colhook Common,
Northchapel, Chichester District,
West Sussex

DECISION

These disputes relate to the registrations at Entry Nos 1 and 2 in the Land Section and at Entry Nos 1 and 2 in the Rights Section of Register Unit No CL. 103 in the Register of Common Land maintained by the West Sussex County Council and are occasioned by Objection No 382 made by the County Surveyor and noted in the Register on 16 March 1971.

I held a hearing for the purpose of inquiring into the disputes at Chichester on 12 April 1978. At the hearing Chichester County Council were represented by Mr R Lester, local government officer in the County Secretary's Department.

The grounds of the Objection are: "Part area is highway, see attached" and the attached paper stated that the area adjoining the paved highway is highway for the widths therein set out from the centre of the carriageway.

Mr Lester said that the County Surveyor withdraws the Objection, relying on section 21(2) of the 1965 Act.

In a letter dated 23 March 1977 Anderson Longmore & Higham, Solicitors of Petworth writing to the Clerk of the Commons Commissioners on behalf of Mr G T Stemp (Rights Section Entry No 1 was made on his application) said that he did not dispute the Objection and that the County Council had been so informed.

Under the Act the registrations would have become final but for the Objection. I consider I should upon the withdrawal of the Objection produce the same result. The circumstance that Mr Stemp, when he did not know that the Objection would be withdrawn, conceded it, does not I think preclude me from now giving him such benefit (if any) as may result to him from its withdrawal. Accordingly I confirm the registrations without any modification.

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 the 20th day of April ———

1978

W. A. B. Jones

Commons Commissioner