



COMMONS REGISTRATION ACT 1965

Reference No.38/D/34

In the Matter of The Village Green,
Billingshurst, West Sussex.

DECISION

This dispute relates to the registration at Entry No.1 in the Land Section of Register Unit No.VG.3 in the Register of Town or Village Greens maintained by the former West Sussex County Council and is occasioned by Objection No.442 made by the County Surveyor and noted in the Register on 29th January 1971.

I held a hearing for the purpose of inquiring into the dispute at Chichester on 24th July 1974. The hearing was attended by Mr J.R. Sampson, solicitor, on behalf of the West Sussex County Council and the County Surveyor.

The land comprised in the Register Unit lies on the east side of the High Street in Billingshurst. The plan referred to in the application for the registration is on a small scale, but the land to be registered appears to include the footway on the east side of the carriageway. This footway is separated from the Village Green proper by a 12" dwarf brick wall.

In the absence of any evidence in support of the registration I am not satisfied that the footway was properly registered as part of a town or village green. Although the existence of the objection technically makes the whole of the land comprised in the Register Unit the subject of the dispute, I have decided to confirm the registration with the following modification:- namely, the exclusion of the land on the west side of the dwarf brick wall.

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 18th day of August 1974

Chief Commons Commissioner