



COMMONS REGISTRATION ACT 1965

Reference No. 37/U/23

In the Matter of Land at Shepherd's Gate,
Coleman's Hatch, Hartfield, East Sussex.

DECISION

This reference relates to the question of the ownership of land known as Land at Shepherd's Gate, Coleman's Hatch, Hartfield, being the land comprised in the Land Section of Register Unit No. C.L.61 in the Register of Common Land maintained by the East Sussex County Council of which no person is registered under section 4 of the Commons Registration Act 1965 as the owner.

Following upon the public notice of this reference no person claimed to be the freehold owner of the land in question and no one claimed to have information as to its ownership.

I held a hearing for the purpose of inquiring into the question of the ownership of the land at Lewes on 29th November 1972.

At the hearing the Hartfield Parish Council was represented by its Chairman, Capt. D.H.F. Armstrong. Capt. Armstrong said that he had known the land in question since 1958 and that during the whole of that time the Parish Council had maintained a seat on it without objection from anybody. The Council also keeps the land tidy.

This evidence is rather thin, but in the absence of any conflicting claim to the ownership of the land, I have come to the conclusion that I am justified in holding that the Parish Council has made out a possessory title. I am therefore satisfied that the Parish Council is the owner of the land, and I shall accordingly direct the East Sussex County Council, as registration authority, to register the Hartfield Parish Council as the owner of the land under section 8(2) of the Act of 1965.

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 7th day of December 1972


Chief Commons Commissioner