



COMMONS REGISTRATION ACT 1965

Reference Nos. 37/D/59-60

In the Matter of Telscombe Tye, Telscombe, East
Sussex (No. 2).

DECISION

These disputes relate to the registration at Entry No 1 in the Land Section of Register Unit No. CL.2 in the Register of Common Land maintained by the former East Sussex County Council and are occasioned by Objection No. 30 made by the late Mrs D Neville and Mr R C Neville and noted in the Register on 13 August 1970 and Objection No. 122 made by Mr G Janson, and noted in the Register on 30 October 1970.

I held a hearing for the purpose of inquiring into the dispute at Lewes on 14 and 15 March 1979 and at Watergate House, London WC2 on 22 March 1979. The hearing was attended by Miss Sheila Cameron, of Counsel, on behalf of the Telscombe Parish Council, the applicant for the registration, and the Trustees of the Charity known as Gorham's Gift, whose application was noted under S.4(4) of the Commons Registration Act, 1965, and by Mr Ian McCulloch, of Counsel, on behalf of Mr Neville. There was no appearance by or on behalf of Mr Janson.

For the reasons given in my decision in In the Matter of Telscombe Tye (No. 1) (1979), Ref. Nos 37/D/61 - 63 I am satisfied that the whole of the land comprised in the Register Unit is subject to rights of common. Therefore I confirm the registration.

Miss Cameron asked for an order for costs in favour of each of her clients. Since the Objector was unsuccessful and was solely concerned with his own property, I can see no reason why he should not pay the costs of these disputes to be taxed on County Court Scale 4, if not agreed.

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

17th

day of

May

1979

[Signature]
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Chief Commons Commissioner