



COMMONS REGISTRATION ACT 1965

Reference No. 238/D/77-78

In the Matter of Burton Down, Sutton Down
and Puck Street, Sutton

DECISION

These disputes relate to the registrations at Entry No 1 in the Land Section and Entries No 1, 2 and 3 in the Rights Section of Register Unit No. CL.252 in the Register of Common Land maintained by the West Sussex County Council and are occasioned by Objection No. 138 made by the Trustees of the Somerset Hospital Charity ("the Objectors") and noted in the Register on 21 September 1970.

I held a hearing for the purpose of inquiring into the dispute at Chichester on 20 March 1979. The hearing was attended by Mr A R Dickinson of the firm Smiths Gore, representing the Objectors: no one else attended.

The Objection relates to the part of land which is lettered D on the Register Plan, of which the Objectors are the registered owners, and is based on the ground that that part was not common at the time of registration. None of the three rights which are registered is claimed to be exercisable over this part of the land, and there was no evidence before me or submission that it is common land. Accordingly, I shall give effect to the Objection and refuse to confirm the registrations so far as they relate to the land lettered D.

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

5th

day of

July

1979

L. J. Morris Small
Commons Commissioner