



COMMONS REGISTRATION ACT 1965

Reference No.37/D/67

In the Matter of The Village Green,
Hartfield, East Sussex (No.2).

DECISION

This dispute relates to the registration at Entry Nos. 1 and 2 in the Rights Section of Register Unit No.VG 20 in the Register of Town or Village Greens maintained by the former East Sussex County Council and is occasioned by Objection No.61 made by the County Council and noted in the Register on 30th October 1970.

I held a hearing for the purpose of inquiring into the dispute at Lewes on 21st November 1974. The hearing was attended by Mr W.L.Clements, solicitor, on behalf of the East Sussex County Council. Mr A.R.Medhurst and M/s K.Medhurst, the applicants for the registration, did not appear and were not represented.

The land comprised in the Register Unit is crossed by two public footpaths. The Objection relates only to the sites of these paths.

This case is indistinguishable in principle from In the Matter of Rotheath, Chailey (1974) 37/D/18, and for the reasons given in my decision in that case I find that the Objection has not been sustained.

This leaves me with the two applications for the registration of rights without any evidence to support them, but without any objection to them in principle. Normally where there is no evidence to support an application the registration is not confirmed, but here there can be little doubt that there was no appearance by or on behalf of the applicants because they believed that the hearing would be concerned only with the paths and they were indifferent as to whether the paths were included or not. In these circumstances it seems to me that the proper course is to confirm the registration without 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 this 19th day of December 1974

Chief Commons Commissioner