COMMONS REGISTRATION ACT 1965

Reference No 238/D/135

In the Matter of Bignor Hill (The Down),
Bignor, West Sussex (No 2)

DECISION

This dispute relates to the registration at Entry No 1 in the Rights section of Register Unit No CL 113 in the Register of Common Land maintained by the West Sussex County Council and is occasioned by Objection No 353 made by the former County Surveyor and noted in the Register on 17 December 1970.

I held a hearing for the purpose of inquiring into the dispute at Chichester on 21 June 1979. The hearing was attended by Mr T R W Longmore, solicitor, on behalf of Messrs H Tupper and Son, the applicants for the registration, and by Mrs G Frankland, the Commons Registration Officer of the County Council.

Mr Longmore informed me that the registration had been made in error and that he was instructed not to support it.

In these circumstances I can do no other than refuse to confirm the registration.

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 9th day of November 1979

CHIEF COMMONS COMMISSIONER