



Commons Registration (East Sussex) Act 1994

1994 CHAPTER vii

An Act to make provision for the reconstitution and validation of the registers of common land and of town or village greens maintained under the Commons Registration Act 1965 for the County of East Sussex; and for connected purposes. [5th July 1994]

WHEREAS—

- (1) Under the Commons Registration Act 1965 (in this Act referred to as “the Act of 1965”) the East Sussex County Council (in this Act referred to as “the county council”) is the registration authority for its area, subject as mentioned in section 2 (2) of that Act:
- (2) In January 1993 the registers of common land and of town or village greens which the county council is required to maintain under the Act of 1965 (in this Act referred to as “the East Sussex registers”) were completely destroyed by fire:
- (3) The county council has begun to reconstitute the East Sussex registers by collecting evidence from various sources as to the contents of the East Sussex registers:
- (4) The county council apprehends that although it will be possible accurately to reconstitute the major part of the East Sussex registers it will not be possible to effect a reconstitution of the East Sussex registers which can be proved to be complete and accurate in every detail:
- (5) To avoid uncertainty as to the status of the matters recorded in the East Sussex registers as reconstituted and to enable the county council to comply with its duties under the Act of 1965 it is expedient to make provision with respect to the reconstitution, and for the validation, of the East Sussex registers and to make such other provision for these purposes as are contained in this Act:
- (6) The purposes of this Act cannot be achieved without the authority of Parliament:
- (7) On the promotion of the Bill for this Act the county council has observed the requirements of section 239 of the Local Government Act 1972:

May it therefore please Your Majesty that it may be enacted, and be it enacted, by the Queen’s most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.

1 Citation and commencement

This Act may be cited as the Commons Registration (East Sussex) Act 1994.

2 Interpretation and general

- (1) In this Act, unless the context otherwise requires—
- “the Act of 1965” means the Commons Registration Act 1965;
 - “concerned authority” in relation to a registration means a local authority (other than the registration authority) in whose area any part of the land affected by the registration lies;
 - “the county council” means the East Sussex County Council;
 - “the destroyed registers” means the East Sussex registers as destroyed by fire in January 1993;
 - “the East Sussex registers” means the registers of common land and of town or village greens which the county council is required to maintain under the Act of 1965;
 - “registration” means registration under section 4 of the Act of 1965 and an entry in the register made in pursuance of section 13 of the Act of 1965.
- (2) A reference in any provision of this Act to the proper officer is a reference to the officer appointed by the county council for purposes which include the purpose of that provision.
- (3) Except as otherwise provided in this Act, expressions used in this Act and in the Act of 1965, or the regulations made under that Act have the same meaning as in that Act and those regulations.
- (4) Notice is duly given by or to the county council to or by any person under this Act if given in accordance with section 231 or, as the case may be, 233 of the Local Government Act 1972.

3 Reconstitution of East Sussex registers

- (1) As soon as may be after the commencement of this Act the county council shall reconstitute the East Sussex registers by drawing new registers in accordance with subsection (2) below.
- (2) The new registers shall be drawn in such manner as to replicate as far as reasonably practicable the contents of the destroyed registers and to incorporate all such amendments, corrections or alterations as shall have been required by or under the Act of 1965 or the Common Land (Rectification of Registers) Act 1989 to be entered into the East Sussex registers since the destruction of the destroyed registers.
- (3) Nothing in this Act shall prejudice the power of the county council to note in the new registers any matter authorised to be noted by or under the Act of 1965.

4 Invitation of requests for notification of new registration

- (1) Not later than one month from the commencement of this Act the county council shall publish, at least once in each of two successive weeks in one or more newspapers circulating in the county of East Sussex an advertisement stating—