



COMMONS REGISTRATION ACT 1965

Reference No. 219/D/36-38

In the Matter of Chill Mill Green,
Brenchley, Kent

DECISION

These disputes relate to the registration at Entry No. 1 in the Land Section of Register Unit No. CL 88 in the Register of Common Land maintained by the Kent County Council and is occasioned by Objections No. 101, 102 and 103 made respectively by Sir Miles Clifford, Mr J D Wyatt and Mr J T Goldup all noted in the Register on 23 April 1971.

I held a hearing for the purpose of inquiring into the disputes at Maidstone on 8 February 1979. The hearing was attended by Mr A M Whittaker, who is Mr J D Wyatt's successor in title.

Although the disputes have been referred as disputes as to the registration as common land in the Land Section, the Objections clearly related to the registration in the Ownership Section: there is one qualification to this viz that Mr Goldup's Objection was, on the face of it, an objection to both registrations. In these circumstances, and particularly in view of the fact that the disputes had not been referred as disputes as to ownership, it appeared to me inappropriate to deal with them at the hearing as ownership disputes, and the three Objections to the ownership registration remain outstanding for future reference to a Commons Commissioner.

As regards Mr Goldup's Objection, treating it as an objection to registration as common land (part from its objection to the ownership registration), this had been referred for decision. It appears that Mr Goldup has died and that his widow is his successor: I understood from Mr Whittaker that he was acting on her behalf (as well as in his capacity as Mr Wyatt's successor) and that the Objection by Mr Goldup, so far as it is an objection to registration as common land, is withdrawn.

Accordingly I confirm the registration at Entry No. 1 in the Land Section.

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

11th

day of

April

1979

L. J. Morris Smith

Commons Commissioner