



## COMMONS REGISTRATION ACT 1965

Reference No. 219/U/5

In the Matter of Eythorne Green, Eythorne  
Dover D., Kent

DECISION

This reference relates to the question of the ownership of the several pieces of land known as Eythorne Green, Eythorne, Dover District (formerly Eastry Rural District) being the land comprised in the Land Section of Register Unit No. VG.135 in the Register of Town or Village Greens maintained by the Kent County Council of which no person is registered under section 4 of the Commons Registration Act 1965 as the owner.

Following upon the public notice of this reference no person claimed to be the freehold owner of the land in question and no person claimed to have information as to its ownership.

I held a hearing for the purpose of inquiring into the question of the ownership of the land at Dover on 26 November 1974. At the hearing Eythorne Parish Council were represented by Mr Dunn, their clerk.

Mr Dunn said (in effect):- The Parish Council minute books show that during the last 50 years the Council had from time to time tried to establish ownership without success. Recently, they planted some trees on the land and erected a post and chain fence. They would like the land to be vested in them, but they cannot offer any evidence of ownership.

In the absence of any evidence I am not satisfied that any person is the owner of the land, and I shall accordingly direct the Kent County Council, as registration authority, to register Eythorne Parish Council as the owner of the land under section 8(3) of the Act of 1965.

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 3<sup>rd</sup>day of December 1974

a. a. Baden Fuller

Commons Commissioner