



COMMONS REGISTRATION ACT 1965

Reference No. 219/U/76

In the Matter of Gipsy Green, Tedder's
Leas Road, Etchinghill, Lyminge, Kent

DECISION

This dispute relates to the question of the ownership of land known as Gipsy Green, Tedder's Leas Road, Etchinghill, Lyminge, being the land comprised in the Land Section of Register Unit No. CL.95 in the Register of Common Land 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 the Lyminge Parish Council and the Central Electricity Generating Board each claimed to be the freehold owner of the land in question and Mr W G Haste 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 Maidstone on 6 June 1979. At the hearing the Central Electricity Generating Board was represented by Mr C B Johnson, Solicitor.

The land in question was the subject of a conveyance made 27 November 1930 between (1) John Ansten Heritage (2) Central Electricity Board. The Central Electricity Board was dissolved under the Electricity Act 1947 and its assets vested in the British Electricity Authority, the name of which was changed to the Central Electricity Authority by the Electricity Reorganisation (Scotland) Act 1954. This authority was dissolved and its assets transferred to the Central Electricity Generating Board by the Electricity Act 1950.

On this evidence I am satisfied that the Central Electricity Generating Board is the owner of the land, and I shall accordingly direct the Kent County Council, as registration authority, to register the Board as the owner of the land under section 8 (2) of the Act of 1965.

I am required by regulation 50 (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 25th day of June

1979


Chief Commons Commissioner