



COMMONS REGISTRATION ACT 1965

Reference No.219/U/34

In the Matter of Hatham Green,
Stansted, Kent.

DECISION

This reference relates to the question of the ownership of land known as Hatham Green, Stansted, being the land comprised in the Land Section of Register Unit No.VG 211 in the Register of Town or Village Greens maintained by the former 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 Mr J.C.Brooker, Mr O.J.Marchant, Mr P.J.Brooker, and Mr W.D.Charnley claimed to be the freehold owners of parts of the land in question and no other 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 Maidstone on 15th July 1975.


At the hearing the Stansted Parish Council was represented by Mr A.L.Poynton, its Clerk, and Mrs A.L.Brooker spoke on behalf of the personal representatives of her late husband, Mr T.J.Brooker.

The land comprised in the Register Unit includes a triangular piece lying to the north of a property known as Stone Rocks which belongs to the personal representatives of the late Mr Brooker, subject to Mrs Brooker's life interest. The triangular piece of land consists of woodland, which has been occupied with Stone Rocks for many years. Being woodland, it has not been very intensively occupied, but Mrs Brooker remembers that her late father-in-law had some of the trees cut down during World War II and sold them. More recently a wayleave for a sewer has been granted. Mr Poynton said that the Parish Council accepted that this part of the land had always belonged to members of the Brooker family.

On this evidence I am satisfied that the personal representatives of the late Mr T.J.Brooker are the owners of the triangular area, but I am not satisfied that any person is the owner of the remainder of the land comprised in the Register Unit and I shall accordingly direct the Kent County Council, as registration authority, to register the personal representatives of the late Mr T.J.Brooker as the owners of the triangular area under section 8(2) of the Act of 1965 and the Stansted Parish Council as the owner of the remainder under section 8(3) of the Act.

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 28th day of July 1975


Chief Commons Commissioner