



In the Matter of Horns Oak Green, David  
Street, Meopham, Kent

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DECISION

This reference relates to the question of the ownership of land known as Horns Oak Green, David Street, Meopham, being the land comprised in the Land Section of Register Unit No. VG 91 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 Mr J W Leonard claimed to be the freehold owner 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 19 May 1983.

At the hearing Mr Leonard appeared in person.

The land the subject of the reference is now an open triangular area at the junction of two roads, which meet at a very acute angle. The narrow base of the triangle adjoins a field belonging to Mr Leonard. Mr Leonard said that he purchased this field in 1947, but he did not produce the conveyance. He did, however, produce a certificate copy of a filed plan at the Land Registry, which shows the field and the land the subject of the reference within a single red line. Mr Leonard said that in 1947 the whole of the land was fenced against the roads, but that there was a single strand of barbed wire across what is now the base of the triangle. Mr Leonard put an extra strand of barbed wire on this line in order to prevent animals getting into the narrow apex. About 1949 Mr Leonard added more wire, so making a fence, and since the land beyond the wire fence was getting overgrown and so obstructing the view at the road junction, he took down the road-side fences and cleared what he described as "the point". For a time Mr Leonard cut the grass on the point when necessary, but more recently it has been cut by the County Council roadmen. For about two years a Mr Don Lytton paid Mr Leonard 1s. a year for keeping on the point a notice advertising Mr Lytton's tea-garden. Mr Leonard said that he had never heard the point called Horns Oak Green before it was registered under the Act of 1965.

On this evidence I am satisfied that Mr Leonard is the owner of the land, and I shall accordingly direct the Cambridgeshire County Council, as registration authority, to register him as the owner of the land under section 8(2) 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

14<sup>th</sup>

day of

June

1983

  
Chief Commons Commissioner