



COMMONS REGISTRATION ACT 1965

Reference No. 219/U/98

In the Matter of Kingsdown Freedown,
St.Margaret's-at-Cliffe, Kent

DECISION

This reference relates to the question of the ownership of land known as Kingsdown Freedown, St.Margaret's -at-Cliffe, being the part of the land comprised in the Land Section of Register Unit No.CL.81 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 St.Margaret's -at-Cliffe Parish Council 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 Folkestone on 21 January 1980. At the hearing, the Parish Council was represented by Mr E Lodge, its Clerk.

The land the subject of the reference is a long strip of roadside waste. In 1963 a development company paid the Parish Council £2,700 for the right to make an access road across it, and in 1976 the Kent County Council paid the Parish Council £1 for a part of the land taken for road widening. It would appear from these transactions that the Parish Council had some sort of title, possibly only a possessory one to the land.

On this evidence I am satisfied that the St.Margaret's -at-Cliffe Parish Council is the owner of the land, and I shall accordingly direct the Kent County Council, as registration authority, to register the Parish Council 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

14th

day of

February

1980

Chief Commons Commissioner