



COMMONS REGISTRATION ACT 1965

Reference No.19/U/40

In the Matter of Land adjacent to the
Yew Tree Public House, Grange Lane,
Boxley, Kent.

DECISION

This reference relates to the question of the ownership of land adjacent to the Yew Tree Public House, Grange Lane, Boxley, being the land comprised in the Land Section of Register Unit No.C.L.78 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 Miss J.S. Holmes claimed to be the freehold owner of part 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 17th January 1974.

Miss Holmes appeared in person at the hearing. She produced a land certificate which showed that she had been registered on 19th January 1971 as the owner with a possessory title (K 383466) of a small portion of the land in question at the south-west corner, which forms part of the garden of her adjoining house, No.1 Yew Tree Cottages. This portion of the land should, of course, not have been included in the reference.

There was no evidence as to the remaining and major portion of the land comprised in the Register Unit.

In the absence of any evidence I am not satisfied that any person is the owner of the land properly included in the reference and that land will therefore remain subject to protection under section 9 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 1st day of February 1974


 Chief Commons Commissioner