



COMMONS REGISTRATION ACT 1965

Reference No. 219/U/66

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

DECISION

This reference relates to the question of the ownership of land known as St.Margaret's Freedown,St.Margaret's -at-Cliffe, being the land comprised in the Land Section of Register Unit No.CL.79 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 Maidstone on 6 June 1979. At the hearing, the Parish Council was represented by Mr R McCracken, of Counsel.

The Parish Council has no documentary title to this land, but it has let the grazing and received the rent for it for a number of years. It is not known for how long the rent has been so received, but there is a reference to it in the records of the Parish Council in September 1959, and Mr H W Curling, who was born in 1905, remembers that his father used to pay a shilling a cow for the grazing. The Parish Council has therefore been in receipt of the rents and profits of the land long enough to have acquired a possessory title.

On this evidence I am satisfied that the 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

25th

day of

June

1979


Chief Commons Commissioner