



COMMONS REGISTRATION ACT 1965

Reference No.219/U/53

In the Matter of The Green,
Frinsted, Kent.

DECISION

This reference relates to the question of the ownership of land known as The Green, Frinsted, being the land comprised in the Land Section of Register Unit No.VG 193 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 the Frinsted Parochial Church 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 15th July 1975.

At the hearing the Frinsted Parochial Church Council was represented by Mr R. Leigh-Pemberton, one of the Churchwardens.

It appears from an entry in the minute book of the Parochial Church Council that on 28th January 1960 it was agreed to purchase the land the subject of the reference from Miss E. Sage for £5. There is a receipt for £5 from Miss Sage dated 1st February 1960, but it appears that she never executed a conveyance. Since 1960 the northern third of the land has been used as a car park in connection with St Dunstan's Church, while the southern two-thirds has been maintained by the Parochial Church Council as an open space. There has been no adverse claim by any other person and it appears that the Parochial Church Council has acquired a possessory title.

On this evidence I am satisfied that the Parochial Church Council is the owner of the land, and I shall accordingly direct the Kent County Council, as registration authority, to register the Parochial Church 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 August 1975


Chief Commons Commissioner