



COMMONS REGISTRATION ACT 1965

Reference No. 19/U/8

In the Matter of The Green and
the Car Park, Saltwood, Kent.

DECISION

This reference relates to the question of the ownership of land known as The Green and the Car Park, Saltwood, being the land comprised in the Land Section of Register Unit No.V.G.14 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 no person claimed to be the freehold owner of the land in question and no one 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 Canterbury on 14th November 1972.

At the hearing the Saltwood Parish Council was represented by its Clerk, Col. N.C. Butler. Col. Butler has been the Clerk to the Council since 1948, but has known the land the subject of the reference for many years before that, since his father was the Clerk for over 40 years.

The land in question consists of two portions, namely the Green, which is a triangular piece of land bounded by roads on all sides, and an entirely separate piece of land, which was formerly the site of a pond, but is now used as a car park.

So far as the Green is concerned, Col. Butler could say no more than that during the period of his recollection the Parish Council had paid no rent or acknowledgement to any person in respect of it. On the other hand, the Council on 25th June 1956 granted to Mackeson & Co.Ltd. the owners of the Castle Inn, a lease of the Car Park for a term of 50 years at a rent of one shilling per annum.

On this evidence I should have been prepared to find that the Parish Council was the owner of the Car Park had that matter fallen to be considered in isolation, but I should not be prepared so to find with regard to the Green. Since, however, there is no other claimant to the Green, that will fall to be vested in the Parish Council under section 8(3) of the Act of 1965, it seems that the most convenient course is to treat the registration as a whole and say that I am not satisfied that any person is the owner of the land as a whole, and I shall accordingly direct the Kent County Council, as registration authority, to register the Saltwood Parish Council as the owner of the land under section 8(3) of the Act of 1965.

x together with another triangular piece of land to the north in front of the property known as 'The Firs'



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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 *December* 1972

Chief Commons Commissioner

Corrected under reg. 33

8/1/73