



COMMONS REGISTRATION ACT 1965

Reference No. 219/U/6

In the Matter of The Leas, Kingsdown
Ringwould, Dover D., Kent

DECISION

This reference relates to the question of the ownership of the part (the Referred Part") hereinafter defined of the land ("the Unit Land") which is an area of approximately 10.95 acres in extent known as The Leas, Kingsdown, Ringwould, Dover District, and which is the land comprised in the Land Section of Register Unit No. VG.145 in the Register of Town or Village Greens maintained by the Kent County Council. The Referred Part means the part of the Unit Land which is not registered at H.M. Land Registry under the Land Registration Acts 1925 to 1936 under Title No. K244872, and of which no person is registered under section 4 of the Commons Registration Act 1965 as the owner.

The Unit Land is cliff top land between the footpath and the edge of the cliff and extending (for about 1 mile, as I scale the Register map) from Oldestairs Road on the north to the Parish boundary on the south; and also on part of the route between the grass road and the footpath. The part which is registered under the Land Registration Acts extends for about 280 yards from Oldestairs Road. Dover Rural District Council on 30 September 1970 applied to the County Council to be registered as the owner of another part (about 450 yards long) extending from or somewhere near the south boundary of the said registered part; however the County Council declined to accept the application on the ground that the closing date for application was 2 January 1970.

Following upon the public notice of this reference:- (a) Mrs E.W. Baker wrote saying that her late husband Mr A.W. Dowdall (he died in August 1959) was the owner of several plots of land (which she listed) on the Kingsdown Cliffs Estate. (b) Mr M.J. Whelton wrote saying that he is the owner of land extending down to the roadway abutting on part of the Unit Land (according to his plan this part is about 130 yards south of the part claimed by the District Council) and that the Public Trustee appeared to be the Trustee for the Estate owning The Leas. And (c) the Public Trustee (answering a question prompted by Mr Whelton's letter) wrote saying that the Public Trustee was the owner of estates in this area, as Executor under one Will, Trustee under another, and also under Part 4 of para.1(4) of the First Schedule of the Law of Property Act 1925 and that as all these cases have now been distributed, he does not wish to claim ownership of any of the land. No other person claimed to be the freehold owner of the land in question or 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 Dover on 26 November 1974. At the hearing, Ringwould Parish Council was represented by Mr G. Jaffrenou, their chairman.

Mr Jaffrenou said (in effect):- The Unit Land is mostly very rough grass and bracken. It is much walked over by the public, being generally regarded as a beauty spot. The plots mentioned by Mrs Baker in her letter are not part of the Unit Land. The Parish Council (their name has been or in the near future may be changed to Ringwould and Kingsdown Parish Council) can offer no evidence of



ownership; they hoped the Unit Land would remain a beauty spot.

In the absence of any evidence I am not satisfied that any person is the owner of the Referred Part. I shall accordingly direct the Kent County Council, as registration authority, to register Ringwould Parish Council as the owner of the land under section 8(3) of the Act of 1965. From the non attendance of the District Council I assume that they are content that the land shall vest in the Parish Council in accordance with this section.

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 3rd day of December 1974

a. a. Baden Fuller

Commons Commissioner