



COMMONS REGISTRATION ACT 1965

Reference No.19/D/16

In the Matter of The Moor,
Hawkhurst, Kent.

DECISION

This dispute relates to the registration at Entry No.1 in the Ownership Section of Register Unit No.V.G.34 in the Register of Town or Village Greens maintained by the Kent County Council and is occasioned by Objection No.30 made by the Hawkhurst Parish Council and noted in the Register on 16th January 1970.

I held a hearing for the purpose of inquiring into the dispute at Maidstone on 17th January 1974. The hearing was attended by Mr. M. Honey, solicitor, on behalf of the Parish Council. The College of St.Gregory and St.Martin at Wye, the applicant for the registration, did not appear and was not represented, but sent a letter signed by Mr. Michael Nightingale, Deputy Steward of the Royal Manor of Wye, stating that it was no longer desired to support the registration.

Mr. Honey produced a conveyance made 10th November 1930 between (1) Guy Montagn, Earl of Winchilsea and Nottingham (2) Frank Cyril Tiarks and Alastair Robert Innes Ker (3) the Parish Council, by which the Earl of Winchilsea and Nottingham, as lord of the manor of Slapmill alias Moorhouse within the Royal Manor of Wye, conveyed the land in question to the Parish Council, subject to a covenant to use it as a recreation ground and playground. This the Parish Council continues to do.

For these reasons I refuse to confirm the registration.

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