



COMMONS REGISTRATION ACT 1965

Reference No.19/U/30

In the Matter of The Tat,
Yalding, Kent.

DECISION

This reference relates to the question of the ownership of land known as The Tat, Yalding, being the land comprised in the Land Section of Register Unit No.C.L.43 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 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 Maidstone on 16th and 17th January 1974.

At the hearing Mr. P. Bracher, solicitor, appeared for the Yalding Parish Council.

The minute books of the Parish Council disclose that since 1960 the Parish Council has been dealing with the land in question in a manner inconsistent with its ownership by any other person. Gate posts and a fence have been erected to prevent encroachment by vehicles, and a "No Parking" sign has also been erected. The Council has also caused the willows to be pollarded and has disposed of the timber.

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 Yalding 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 1st day of February 1974

Chief Commons Commissioner