



In the Matter of Ewell Minnis and Scotland  
Common, Temple Ewell with River, Kent (NO.2)

SUPPLEMENTAL DECISION

This dispute relates to the registration at Entry No 1 in the Rights Section of Register Unit No. CL.33 in the Register of Common Land maintained by the former Kent County Council and was remitted to me for further hearing by Mr Justice Fox (1977 E. 9379).

I held the further hearing for the purpose of inquiring into the dispute at Folkestone on 23 January 1980. The hearing was attended by Miss Sheila Cameron, of Counsel, on behalf of Mr Alfred Constable, the applicant for the registration, and by Mr Nigel Hague, of Counsel, on behalf of the Secretary of State for Defence, the successor in title of Miss J M Loring and Mrs C M R Brown, the original objectors.

Miss Cameron and Mr Hague informed me that it had been agreed between their respective clients that I should confirm the registration with certain modifications.

In accordance with the agreed terms and the order of Mr Justice Fox I confirm the registration with the following modifications, namely:-

1. The substitution for the words in column 4 of the words:-
  - "(a) The right to cut 50 pea sticks (each 3 feet long) and 50 bean sticks (each 6 feet long) annually over the whole of the land comprised in this register unit;
  - (b) The right to estovers, namely to cut wood and pea and bean sticks over the whole of the land comprised in this register unit"
2. The substitution for the word "None" in column 5 of the words:-
  - "(a) In gross "
  - "(b) 16 Lower Road, Temple Ewell."
3. The substitution for the words "parishioners of the parish of Temple Ewell with River who are owners of the right "of the words"Alfred Constable of 16 Lower Road, Temple Ewell".

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

24<sup>th</sup>

day of

March

1980

Chief Commons Commissioner