



COMMONS REGISTRATION ACT 1965

Reference No.19/U/73

In the Matter of Free Heath,
Lamberhurst, Kent.

DECISION

This reference relates to the question of the ownership of land known as Free Heath, Lamberhurst, being the land comprised in the Land Section of Register Unit No.CL 30 in the Register of Common Land maintained by the former 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 15th July 1975.

At the hearing Mr G.C.Honywill appeared on behalf of the Lamberhurst Parish Council.

The minute books of the Parish Council show that the Council has been acting as if it were the owner of this land for many years and has received small sums of money from persons making use of it. There are numerous entries in the minute books which satisfy me 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 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 14th day of August 1975

Chief Commons Commissioner