



COMMONS REGISTRATION ACT 1965

Reference No.19/U/25

In the Matter of Lamberhurst Down,
Lamberhurst, Kent.

DECISION

This reference relates to the question of the ownership of land known as Lamberhurst Down, Lamberhurst, being the land comprised in the Land Section of Register Unit No.C.L.28 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 15th January 1974.

At the hearing Mr. G.C.Honnywill, solicitor, appeared for the Lamberhurst Parish Council.

It appears from entries in the minute books from 1925 onwards that the Parish Council has been treating this land as if it belonged to it. In particular permission has been given for the erection of swings and roundabouts, seats and fencing have been maintained and wayleave rentals have been received for electricity lines and telegraph poles.

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 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 31st day of January 1974


 Chief Commons Commissioner