



COMMONS REGISTRATION ACT 1965

Reference No 219/U/58

In the Matter of Painters Forstal
Green, Ospringe, Swale District,
Kent

SUPPLEMENTAL DECISION

This decision is supplemental to my decision dated 27 May 1976 in this Matter.

Since giving my said decision, it is has been discovered that the hearing mistakenly proceeded on the basis that the only land comprised in this Register Unit was that therein described as "the Unit Land", whereas in fact the land so comprised included a piece ("the Triangular Piece") situated north of the land so described on the opposite side of the road from Eastling to Ospringe and east of the School House.

At the hearing no evidence was offered about the ownership of the Triangular Piece. In a letter dated 30 April 1977, Miss Kissick confirms that she is unable to offer any evidence of its ownership. With a letter dated 19 May 1977, Kent County Council enclosed a letter dated 11 May 1977 from Swale District Council to the like effect. In a letter dated 8 June 1977, Ospringe Parish Council agreed to such Council being registered as owner under section 8(3) of the Act.

In the absence of any evidence, I am not satisfied that any person is the owner of the Triangular Piece, and I shall accordingly in pursuance of section 8(3) of the Act of 1965 direct Kent County Council to register Ospringe Parish Council as the owner of the part of the land comprised in this Register Unit which is north of the road from Eastling to Ospringe, and I shall at the same time give them notice that I have corrected the direction dated 10 August 1976 sent to them about the land comprised in this Register Unit by adding at the end the words: "provided that nothing in this direction shall apply to the part of the said land which is north of the road from Eastling to Ospringe".

I am required by regulation 30(1) of the Commons Commissioners Regulations 1971 to explain that a person aggrieved by this supplemental 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 15th day of June — 1977

a. a. Baden Fuller

Commons Commissioner