



In the Matter of Pond Green,
Meopham, Kent

DECISION

This reference relates to the question of the ownership of land known as Pond Green, Meopham, being the land comprised in the Land Section of Register Unit No. VG 220 in the Register of Town or Village Greens 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 Meopham Parish Council claimed to be the freehold owner of the land in question and no other person 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 6 February 1979.

Mr J Carley, the Chairman of Meopham Parish Council, appeared on its behalf: no one else appeared.

A copy of a conveyance dated 7 February 1949 between the Church Commissioners and the Parish Council was produced: this was a conveyance on sale to the Parish Council by the Commissioners as Lords of the Manor of Meopham of the Commissioners' waste lands and greens in Meopham known as (there then followed the names of six greens which did not include Pond Green) together with "all or any other pieces of waste or commonable lands" situated in the Parish of Meopham. It was submitted that the quoted words included Pond Green, but no evidence was adduced to the effect that Pond Green was land of the kind described.

The land has been fenced by the Parish Council for ten years, and for a period the grass was cut by the Parish Council, though more recently this has been done by the Borough Council.

I do not consider that the Parish Council's claim to ownership was sufficiently established by this evidence, nor am I satisfied that any person is the owner of the land, and I shall accordingly direct the Kent County Council, as registration authority, to register Meopham Parish Council as the owner of the land under section 8(3) 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 12th day of March 1979

h. j. Morris Amick
Commons Commissioner