



COMMONS REGISTRATION ACT 1965

Reference No 219/U/93

In the Matter of Shorne Common, Shorne,  
Gravesham Borough, Kent

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DECISION

This reference relates to the question of the ownership of land known as Shorne Common, Shorne, Gravesham Borough being the land comprised in the Land Section of Register Unit No VG. 156 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 Shorne 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 Sittingbourne on 20 May 1976. At the hearing Shorne Parish Council were represented by Captain B J L Smailes, one of their members.

Captain Smailes produced: (1) an indenture dated 2 July 1908 by which I F W Earl of Darnley freely and voluntarily conveyed to Shorne Parish Council the piece of land known as Shorne Common as delineated on the plan drawn thereon in trust (stating the effect of the indenture shortly) for the recreation and improvement of the inhabitants of the Parish of Shorne, as a place of public meeting for the inhabitants, and for any charitable work or other purposes useful to the inhabitants of the said Parish; and (2) a deed of exchange dated 15 April 1958 and made between the Minister and Churchwardens (as trustees of the Church of England Primary School), Kent County Council and Shorne Parish Council.

The land ("the Unit Land") comprised in this Register Unit has (as I scale the Register map) a length of about 250 yards and a width varying between about 80 and about 30 yards. Captain Smailes said (in effect) that except for a small area of open grass land, the Unit Land is for the most part woodlands and scrub, providing a number of picnic sites and a good play area for adventurous children.

On the day after the hearing, I inspected the Unit Land, and noticed that the Parish Council had erected a notice asking the public to respect the open space and there were on the Unit Land buildings apparently used by 1st Shorne Scout Group.

The Unit Land is a little smaller than, and lies wholly within the area delineated on the plan drawn on the 1908 indenture, and is not affected by the 1958 deed.



On the evidence summarised above, and from what I saw on my inspection, 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 Shorne 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 26<sup>th</sup> day of May —

1976

a. a. Bain Fuller

Commons Commissioner