



COMMONS REGISTRATION ACT 1965

Reference No.19/U/12

In the Matter of The Green,  
Teston, Kent.

DECISION

This reference relates to the question of the ownership of land known as The Green, Teston, being the land comprised in the Land Section of Register Unit No.V.G.18 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 Lady Stern, the Revd. R.B. Sharp, and Mr. Donald Reader claimed to be the freehold owners of the land in question as trustees, and the Charity Commissioners 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 Canterbury on 14th November 1972.

At the hearing the Teston Parish Council, which made the registration, was represented by Mr. H. Ayrey, its Clerk. There was also before me an affidavit sworn on behalf of the Charity Commissioners, to which was exhibited a conveyance dated 6th February 1935 between (1) Col. Sir Charles Edward Warde, Bt. and (2) Sir Charles Warde, the Rt. Revd. Herbert James Molony and John George Woodward, whereby the land in question was conveyed pursuant to the provisions of section 29(4) of the Settled Land Act 1925 to the parties of the second part as trustees as a public ground for the purposes of the Recreation Grounds Act 1859. By an order of the Secretary of State for Education and Science of 25th July 1968 made under section 18 of the Charities Act 1960 in the Matter of the Foundation known as the Public Playground in the Parish of Teston in the County of Kent Mr. Reader was appointed a trustee of the Foundation in addition to and jointly with the two continuing trustees, who were then Lady Stern and the Revd G.R.W. Beaumont, and the land in question was vested in these three persons. Since then Mr. Beaumont has been succeeded as Rector of Teston by Mr. Sharp, who was instituted on 19th July 1968.

On this evidence I am satisfied that Lady Stern, Mr. Sharp, and Mr. Reader are the owners of the land, and I shall accordingly direct the Kent County Council, as registration authority, to register them as the owners 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 6th day of December 1972

  
Chief Commons Commissioner