



COMMONS REGISTRATION ACT 1965

Reference No.19/U/28

In the Matter of The Lees,
Yalding, Kent.

DECISION

This reference relates to the question of the ownership of land known as The Lees, Yalding, being the land comprised in the Land Section of Register Unit No.C.L.41 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 the Maidstone Rural District 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 16th January 1974.

At the hearing the Rural District Council was represented by Mr.R.E.North, its Clerk, and the Yalding Parish Council was represented by Mr. P. Bracher, solicitor.

The land the subject of this reference was formerly part of the waste or common of the manor of Yalding and was conveyed to the Rural District Council by a conveyance made 30th July 1948 between (1) Arthur Ralph Cook (2) the Rural District Council for use as an open space within the meaning of the Open Spaces Act 1906, for which purpose the Rural District Council has since used it.

On this evidence I am satisfied that the Rural District Council is the owner of the land, and I shall accordingly direct the Kent County Council, as registration authority, to register the Maidstone Rural District 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