



In the Matter of The Pineys, Addington, Kent

DECISION

The disputes relate to the registration at Entry No. 1 in the Land section of (a) Register Unit No. CL 147 in the Register of Common Land maintained by the Kent County Council (b) Register Unit No. VG 215 in the Register of Town or Village Greens maintained by the Kent County Council. They are occasioned by (1) the conflict between these two registrations and (2) objections made by the Secretary of State for the Environment ("the Objector"); in the case of CL 147 the Objection is No. 197 noted in the Register on 31 July 1972, and in the case of VG 215 the Objection is No. 196 noted in the Register on 30 July 1972.

I held a hearing for the purpose of inquiring into the disputes at Maidstone on 9 February 1979. The hearing was attended by Mr J B Lander, the Chairman of the Addington Parish Council, on whose application the registration as Common Land was made; and by Mrs A Wilks, on whose application the registration as a village green was made. There was no appearance on behalf of the Objector.

Statements put in by Mrs Wilks supported the view that registration as a village green was appropriate; this view was acceptable to the Parish Council and both parties agreed to confirmation of that registration. In the absence of evidence to support Objection No. 196, I shall confirm that registration. In the result I refuse to confirm the registration at Entry No. 1 in the Land Section of Register Unit No. CL 147 and confirm the registration at Entry No. 1 in the Land Section of Register Unit No. VG 215.

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

11th

day of

April

1979

L. J. Morris Smith

Commons Commissioner