



COMMONS REGISTRATION ACT 1965

Reference No.219/U/40

In the Matter of The Village Green,
Warehorne, Kent.

DECISION

This reference relates to the question of the ownership of land known as The Village Green, Warehorne, being the land comprised in the Land Section of Register Unit No.VG 114 in the Register of Town or Village Greens maintained by the former 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 no person claimed to be the freehold owner of the land in question, but Mr J.M.Parsler, the Clerk of the Warehorne Parish Council, 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 14th July 1975.

At the hearing Mr T.J.Chapman, solicitor, appeared on behalf of the Parish Council.

The land the subject of the reference consists of a rectangular area with another small rectangular area adjoining it on the south-east side. The small area is included in the Land Registry Title No.K.70991 and therefore falls outside the reference. The major part of the land was the subject of a conveyance made 17th December 1935 between (1) Bettine Mary Montgomery (2) The National Playing Fields Association (3) The Parish Council of Warehorne, whereby it was conveyed to the Association for the purpose of a recreation ground for the parish of Warehorne under the management of the Parish Council. This arrangement is still in operation.

On this evidence I am satisfied that the National Playing Fields Association is the owner of the land (other than the small part in Title No.K.70991) and I shall accordingly direct the Kent County Council, as registration authority, to register the Association 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 14th day of August 1975

Chief Commons Commissioner