



COMMONS REGISTRATION ACT 1965

Reference No. 219/U/92=

In the Matter of two pieces of land between  
Island Wall and West Beach, Whitstable, Kent

DECISION

This reference relates to the question of the ownership of two pieces of land between Island Wall and West Beach, Whitstable being the land comprised in the Land Section of Register Unit No. VG 115 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 the Whitstable Oyster Fishery Company 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 Folkestone on 21 January 1980.

At the hearing the Whitstable Oyster Fishery Company was represented by Mr P-T Addis, Solicitor.

The land in question was conveyed with other land to the Company of Free Fishers and Dredgers of Whitstable by an indenture made 13 December 1865 between (1) Wynn Ellis (2) The Company of Free Fishers and Dredgers of Whitstable. The Company was incorporated by the Act 33 Geo.III.c.xliii. Its name was changed to the Whitstable Oyster Fishery Company under section 4 of the Whitstable Oyster Fishery Act 1898 (59 and 60 Vict. c.xli).

On this evidence I am satisfied that the Whitstable Oyster Fishery Company is the owner of the land, and I shall accordingly direct the Kent County Council, as registration authority, to register the Company 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

19<sup>th</sup>

day of

February

1980

Chief Commons Commissioner