



Reference Nos. 234/U/91
234/U/140

In the Matter of (1) The Recreation Allotment, and (2) The Parish Meadow, Cratfield, Suffolk Coastal District, Suffolk

DECISION

These references relate to the question of the ownership of lands known as (1) The Recreation Allotment, and (2) The Parish Meadow, Cratfield, Suffolk Coastal District being the lands comprised in the Land Section of Register Unit (1) No. VG 62 and No. VG 88 in the Register of Town or Village Greens maintained by the Suffolk 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 and no person claimed to have information as to their ownership.

I held a hearing for the purpose of inquiring into the question of the ownership of the land at Ipswich on 4 October 1979. At the hearing Suffolk County Council as registration authority were represented by Mr J W Gibbs and Mr I Sands of the County Secretary's Department.

As regards the VG 62 land (the Recreation Allotment), Mr Gibbs produced: (1) a letter written to the County Council by Cratfield Parish Council saying that the land had been let by the Council since 1940 as an allotment, and (2) the Cratfield (Norwood Green) Inclosure Award dated 31 January 1849 made under the Annual Inclosure Act 1846 (9 & 10 Vict. c. 117) by which the land (plot 20 on the Award map) was allotted to the Churchwardens and Overseers of the Poor of the parish of Cratfield for the exercise and recreation of the inhabitants and neighbourhood.

As regards the VG 88 land (Parish Meadow) Mr Gibbs produced also from the County Archives, the Cratfield (Bell Green and Swan otherwise Silverlace Green) Inclosure Award dated 31 January 1852, apparently made under the Annual Inclosure Act 1849 (12 Vict. c. 7); from the attached map it seemed that a small part near the south side of the land, had been allotted to Edward Holland (apparently for his own use) and the remainder, the greater part, was not dealt with at all by the Award.

On this evidence I am satisfied that the Parish Council as the successors under the Local Government Act 1849 are the owners of the VG 62 land and I shall accordingly direct the Suffolk County Council, as registration authority, to register Cratfield Parish Council as the owners of the land under section 8(2) of the Act of 1965. As regards the VG 88 land, on the evidence produced as above summarised and in the absence of any information as to why the Parish Council applied for the registration I am not satisfied that any person is the owner of the land, and I shall accordingly direct the Suffolk County Council, as registration authority, to register Cratfield Parish Council as the owner of the land under section 8(3) of the Act of 1965.



I am required by regulation 30(1) of the Commons Commissioners Regulation 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 16th — day of October — 1979.

a. a. Baden Fuller

Commons Commissioner