



Reference Nos. 234/U/94  
234/U/95

In the Matter of (1) Upper Green  
and (2) Lower Green, Felsham,  
Mid Suffolk District, Suffolk

DECISION

These references relate to the question of the ownership of lands known as (1) Upper Green and (2) Lower Green, Felsham, Mid Suffolk District being the lands comprised in the Land Section of Register Unit (1) No.VG 86 and (2) No.VG 87 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 lands 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 3 October 1979. At the hearing Suffolk County Council as registration authority were represented by Mr J W Gibbs and Mr I Rands of the County Secretary's Department.

Mr Gibbs said that the Tithe Award map for this Parish (now held in the County Archives) showed the VG 87 land as "Lower Green" as if it was part of the adjoining highways save that it is separated from them by a dotted line; and showed the VG 86 land as "Upper Green" also as if part of the adjoining highways, but without any distinguishing dotted line; and that the Award itself nominated no owner for either of these lands and treated both as non-tithable.

In the absence of any evidence I am not satisfied that any person is the owner of the lands and I shall accordingly direct the Suffolk County Council, as registration authority, to register Felsham Parish Council as the owner of the lands under section 8(3) 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 16<sup>th</sup> — day of October — 1979.

a. a. Boden Fuller

Commons Commissioner