



In the Matter of Chippenhall Green,
Fressingfield, Suffolk

DECISION

This reference relates to the question of the ownership of land adjoining the Homestead, Chippenhall Green, Fressingfield, being the part of the land comprised in the Land Section of Register Unit No. CL.29 in the Register of Common Land 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 Mrs M A Skipper 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 Ipswich on 19 February 1985. At the hearing Mrs Skipper was represented by Mr A D K Wood, Solicitor.

Until recently Mrs Skipper was the owner of a house known as The Homestead, the South-eastern boundary of which is the north-western boundary of the land the subject of the reference. Mrs Skipper (formerly Mrs Harburt) acquired The Homestead by a Conveyance made 9 October 1979 between (1) Jack Greenard and Richard Albert Greenard (2) Morag Angela Harburt. The parcels of this Conveyance included the land the subject of the reference. The last previous conveyance was made 28 October 1964 between (1) Edith Ellen Hurren (2) Frederick James Greenard. The parcels of this conveyance were The Homestead, which had been the subject of a Conveyance made 16 July 1945 between (1) Revd Geoffrey Edmund Chandler (2) Geoffrey William Hurren, and the land the subject of the reference "for all the estate and interest of the Vendor". The 1964 Conveyance was supported by a statutory declaration made 21 October 1964 by Mr Edward William Hurren a son of Mr G W Hurren. Mr E W Hurren stated that his father was the tenant of The Homestead from 1896 until 1945 and that he remembered his father's being in occupation of The Homestead and the major part of the land the subject of the reference and continuing to be in such occupation after he purchased the property in 1945 until his death in 1964. Mr E W Hurren also stated that in about 1962 his father enclosed the small remaining part of the land the subject of the reference.

Mr Hurren's statutory declaration was supported by Statutory Declarations by Mr Gerald Mills and Mr Thomas Walter Robert Webster, who had known the property for about 35 years and 50 years respectively.



On this evidence I am satisfied that Mrs Skipper is the owner of the land, and I shall accordingly direct the Suffolk County Council, as registration authority, to register her 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.

Since Mrs Skipper has been granted legal aid to be represented in these proceedings, I direct that her costs in connection herewith be taxed on Scale 3 in accordance with the provisions of the Second Schedule to the Legal Aid Act 1974.

Dated this

27th

day of

February

1985

A handwritten signature in cursive script, appearing to read 'G. S. Quinn', with a horizontal line underneath.

Chief Commons Commissioner