



COMMONS REGISTRATION ACT 1965

Reference No. 234/D/83

In the Matter of Gravel Pits, Pigeon Lane,  
Forham All Saints, Suffolk

DECISION

This dispute relates to the registration at Entry No 1 in the Land Section of Register Unit No. CL.88 in the Register of Common Land maintained by the former West Suffolk County Council and is occasioned by Objection No. O/42 made by James Ray Stennett and noted in the Register on 13 July 1970.

I held a hearing for the purpose of inquiring into the dispute at Bury St. Edmunds on 7 November 1979. The hearing was attended by the Registration Authority, but by no other person entitled to be heard.

The Registration was made on the application of Forham All Saints Parish Council. No rights of Common are registered. The Objection, which states that the land in question is owned by the Objector, is based on the ground that it was not common land at the date of registration.

In a letter dated 17 October 1979 the Parish Council stated that they were instructed by their legal adviser that an application under the Act of 1965 was inappropriate and asked that consideration of this unit could be deleted from the list for hearing. The contents of this letter were communicated to the Objector's solicitors.

In these circumstances, and in the absence of any evidence to support the registration, I shall refuse to confirm the registration.

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 26 November 1979

*L. J. Mansfield*  
Commons Commissioner