



COMMONS REGISTRATION ACT 1965

Reference No. 234/U/172

In the Matter of land forming access track
at Felixstowe Ferry

DECISION

This reference relates to the question of the ownership of land described above being part of the land comprised in the Land Section of Register Unit No. CL.77 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 Constance Eugenie Jenkins claimed to be the freehold owner of the land in question and no other person claimed ownership.

I held a hearing for the purpose of inquiring into the question of the ownership of the land at Ipswich on 30 July 1987. At the hearing Mr R B Hayes, Solicitor, of the firm of Josselyns, appeared on behalf of Mrs Jenkins.

The piece of land in question is an access track, which was part of the property conveyed to the claimant by a Deed dated 18 July 1949. This was a Deed of Gift to the claimant by her then husband John Clark. The earlier title deeds, going back to 1930, were produced and deduced title in John Clark at the date of his Conveyance in 1949 to the claimant.

On this evidence I am satisfied that Mrs C E Jenkins is the owner of the land in question. I shall accordingly direct the Suffolk County Council, as registration authority, to register her as the owner 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 28 October 1987

L. J. Morris Smith

Commons Commissioner