



COMMONS REGISTRATION ACT 1965

Reference No.35/U/2

In the Matter of Naughton Green,
Nedging-with-Naughton, West Suffolk.

DECISION

This reference relates to the question of the ownership of land known as Naughton Green, Nedging-with-Naughton, being the land comprised in the Land Section of Register Unit No.V.G.5 in the Register of Town or Village Greens maintained by the West 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 Mr. C.E.P. Wyatt 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 Bury St.Edmunds on 30th January 1973.

Mr. Wyatt appeared at the hearing and stated that when he purchased his house, known as the Old Manor, on 30th April 1962 there was conveyed to him the manor or Lordship of Nedging with Newton otherwise Newton Fee. Mr. Wyatt did not, however, produce this conveyance, so I adjourned the matter, telling him that I would be satisfied with a photo-copy of it. This I have since received. In the absence of any expression of a contrary intention in the conveyance, it operates, by virtue of section 62(3) of the Law of Property Act 1925, to convey with the manor all wastes. The evidence about the piece of land the subject of this reference is that it has all the characteristics of manorial waste and I therefore find that Mr. Wyatt acquired it by the 1962 conveyance.

For these reasons I am satisfied that Mr. Wyatt is the owner of the land, and I shall accordingly direct the West Suffolk County Council, as registration authority, to register him as the owner of the land under section 3(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 this 2nd day of April 1973


Chief Commons Commissioner