



In the Matter of Plots Numbered 246
and 233 on OS Sheet XX111.1 (2nd
edition 1905), Euston, Suffolk

DECISION

This reference relates to the question of the ownership of the land described above being the land comprised in the Land Section of Register Unit No. VG 97 in the Register of Town or Village Greens maintained by the former 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 the Duke of Grafton claimed to be the freehold owner of the land in question ("the Unit land") 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 Unit land at Bury St. Edmunds on 6 November 1979.

At the hearing Mr J E Bastin, Solicitor, appeared on behalf of the Duke of Grafton. By a Conveyance and Vesting Deed dated 2 October 1958 the Euston Estate in Suffolk which included the Unit land, was conveyed by the tenth Duke of Grafton to the present Duke (then Hugh Denis Charles Fitzroy). The original of this Deed was produced, the parties being the tenth Duke of Grafton (1) Hugh Denis Charles Fitzroy Earl of Euston (2) and Peter Anthony Bainbridge and others as Trustees (3). The conveyance was to the Earl of Euston (as tenant for life) upon the trusts of the Settlement therein referred to. An examined Abstract of Title was also produced, commencing with a Vesting Deed dated 11 November 1926, on which I was satisfied as to the title of the tenth Duke at the date of the Conveyance of 2 October 1958.

On this evidence I am satisfied that the Duke of Grafton (the Eleventh Duke) is the owner of the land, and I shall accordingly direct the Suffolk County Council, as registration authority, to register him as the owner of the land under section 2(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, 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.

H J Thomas Smith

Commons Commissioner