



COMMONS REGISTRATION ACT 1965

Reference No. 234/U/36

In the Matter of The Fen, Market Weston, Suffolk

DECISION

This reference relates to the question of the ownership of land known as The Fen, Market Weston, being the land comprised in the Land Section of Register Unit No. CL.52 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 the Trustees of the Market Weston Fen Charity claimed to be the freehold owners 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 15 February 1979. At the hearing, the Trustees were represented by Mr M Dunn, Solicitor. The land in question was allotted as a Poor's Fuel Allotment by the Inclosure Award dated 17 February 1818 made under the Market Weston Inclosure Act of 1815 (55 Geo. III, C. XIII). By an order of the Charity Commissioners for England and Wales made on 5 July 1972 the land was vested in the Official Custodian for Charities.

On this evidence I am satisfied that the Official Custodian for Charities is the owner of the land, and I shall accordingly direct the Suffolk County Council, as registration authority, to register the Official Custodian 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.

Dated this 20th day of March 1979


Chief Commons Commissioners