



Reference No. 234/U/98

In the Matter of the Village Green,  
Preston St Mary, Babergh District,  
Suffolk

DECISION

This reference relates to the question of the ownership of land known as the Village Green, Preston St Mary, Babergh District being the land comprised in the Land Section of Register Unit No. VG 94 in the Register of Town or Village Greens 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 no person claimed to be the freehold owner of the land in question and no 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 Ipswich on 3 October 1979. At the hearing Preston St Mary Parish Council were represented by Mr J Hawkins their chairman.

The land in this Register Unit is according to the Register map a little under 300 yards long. Mr Hawkins said it is grassland by the side of the road through the Village and between it and the footpath to the Church. In 1974 some sewage works were down in the Village; afterwards the Parish Council planted some trees on this strip. (They had planted some before) and in 1977 (the year of the Royal Jubilee) they erected a Village Notice Board. The Parish Council had so he said, no documents.

In my opinion this information so given by Mr Hawkins falls short of showing that the Parish Council are the owners of the land. After some discussion, Mr Hawkins agreed that I should proceed under Sub-section (3) of section 8 of the 1965 Act. Accordingly I record that I am not satisfied that any person is the owner of the land, and I shall accordingly direct the Suffolk County Council as registration authority, to register Preston St Mary Parish Council as the owner of the land under section 8(3) of the Act of 1965.

I am required by regulation 8(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 16<sup>th</sup> — day of October 1979.

*a. a. Baden Fuller*

Commons Commissioner