



COMMONS REGISTRATION ACT 1965

Reference No 234/U/12

In the Matter of Aldringham Common (East)
and Thorpeness Common (South), Aldringham,
Suffolk Coastal D

DECISION

This reference relates to the question of the ownership of land known as Aldringham Common (East) and Thorpeness Common (South), Aldringham, Suffolk Coastal D being the land comprised in the Land Section of Register Unit No CL. 171 in the Register of Common Land maintained by the former East 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 M G H L Ogilvie the executrix of A S Ogilvie deceased and Thorpeness Ltd each claimed to be the owners of parts 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 Ipswich on 27 October 1976.

Mr J M Margaron of Messrs Cross Ram & Co appeared on behalf of Mrs Ogilvie and Thorpeness Ltd and produced a conveyance dated 6 February 1913 whereby OS numbers 248, 230 and 225A were conveyed to Thorpeness Ltd (then called Seaside Bungalows Ltd) and a conveyance dated 30 April 1920 whereby OS No 248A was conveyed to Thorpeness Ltd. Mr Margaron also produced a vesting instrument dated 13 January 1936 whereby OS Nos 207 and 242 were vested in Alexander Stewart Ogilvie and the Probate of the Will of the said Alexander Stewart Ogilvie who died on 6 September 1972 in which Mrs Ogilvie was named as the sole executrix.

On this evidence I am satisfied that Mrs Ogilvie is the owner of OS Nos 207 and 242 and that Thorpeness Ltd is the owner of OS nos 248, 248A, 230 and 225A, and I shall accordingly direct the Suffolk County Council, as registration authority, to register Mrs M G H L Ogilvie as the owner of that part of the land in question comprised in OS Nos 207 and 242 and Thorpeness Ltd as the owner of that part of the land in question comprised in OS Nos 248, 248A, 230 and 225A in each case 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 21st day of February

1977

E A Little