



COMMONS REGISTRATION ACT 1965

Reference No. 234/U/79

In the Matter of Greshaw Green,
South ~~Elmham~~ St James

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 64 in the Register of Town or Village Greens 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 St James South ~~Elmham~~ Parish Meeting 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 land at Ipswich on 26 February 1980.

At the hearing Mr H S Martinez, Solicitor, appeared on behalf of the Parish Meeting. By an Inclosure Award dated 16 August 1855 the Unit land was allotted to the Churchwardens and Overseers of the Poor of the Parish of St James South ~~Elmham~~, to be held as a place for exercise and recreation for the inhabitants of the Parish and Neighbourhood.

I understand that there is and has been no Parish Council of the Parish, so that under the provisions of Section 19(7) Local Government Act 1894 the Unit land vested in the body corporate of the Chairman and Overseers of the Parish - now the Parish Trustees (see Section 13(3) Local Government Act 1972).

The Minute Book of the Parish Meeting shows that since 1894 the Unit land has been in the use and control of the Parish Meeting and has throughout the years been let by the Parish Meeting to successive tenants at a rent.

On this evidence I am ~~am~~ satisfied that the St James South Elmham Parish Trustees is the owner of the land, and I shall accordingly direct the Suffolk County Council, as registration authority, to register that body 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

13 March

1980

L. J. Morris Smith

Commons Commissioner