



COMMONS REGISTRATION ACT 1965

Reference No 234/D/70 to 75  
inclusiveIn the Matter of Pinmill Common,  
Chelmondiston, Babergh D

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DECISION

These disputes relate to the registrations at Entry No 1 in the Land Section and Entry No. 1 in the Ownership Section of Register Unit Nos CL. 154 and VG. 79 in the Registers of Common Land and Town or Village Greens maintained by the ~~former~~ East Suffolk County Council and are occasioned by Objection Nos 155, 156, 157 and 158 all made by Mr F A Webb and all noted in the Register on 31 July 1972 and the conflicting registrations at Entry No 1 in the Land Sections of Register Unit Nos CL. 154 and VG. 79 in the Registers of Common Land and Town or Village Greens maintained by the Council.

I held a hearing for the purpose of inquiring into the dispute at Ipswich on 26 October 1976. The hearing was attended by Mr Weir of Messrs Westhorp Ward and Catchpole on behalf of Mr Webb, and Mr Jackson on behalf of Chelmondiston Parish Council. The Chelmondiston Parish Council registered the land in question both as common land and a village green. Mr Jackson contended that the land is a village green and invited me to refuse to confirm the Entries in the Land Section and the Ownership Section of Unit No CL. 154 and I therefore refuse to confirm these Entries.

The Parish Council and Mr Webb have entered into an agreement in writing dated 26 October 1976, with a plan annexed. The effect of that agreement insofar as it affects disputes which were before me is to exclude from the Entry in the Land Section of Unit No VG. 79 the land edged red on the said plan which adjoins the river on its south bank but does not include the river.

Mr Jackson told me that throughout living memory the land had been used by yachtsmen for the purpose of engaging in the pastime of yachting. The agreement referred to above provides for matters which may be noted in the Register and for this reason I attach both the said agreement and the said plan to this decision.

I confirm the Entries at No 1 in the Land Section and the Ownership Section of Unit No VG. 79 modified so as to exclude the land edged red on the said plan but the river is included in the Village Green.

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 22<sup>nd</sup> day of February

1978

G. O. J. H. C.

Commons Commissioner