



In the Matter of the Fen and the Drifting,
Hopton, Suffolk

DECISION

This reference relates to the question of the ownership of land described above being the land comprised in the Land Section of Register Unit No. CL 35 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 Fuel Allotment Charity claimed to be the freehold owner of the land in question ("the Unit land").

I held a hearing for the purpose of inquiring into the question of the ownership of the land at Bury St Edmunds on 25 January 1983.

At the hearing the Rev. Michael Ranyard appeared on behalf of the trustees of the Charity. The Unit land was part of the fuel allotments awarded to trustees of the poor by an Inclosure Award of 1827. This charity is now administered pursuant to a Scheme established by the Charity Commissioners and dated 25 July 1977, by which the allotments other than the Unit land were vested in the Official Custodian. Since the hearing a further Order dated 14 October 1983 has been made by the Charity Commissioners vesting the Unit land in the Official Custodian.

In these circumstances I shall direct the Suffolk County Council, as registration authority, to register the Official Custodian for Charities as the owner of the Unit 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 9 January 1983

L. J. Morris Smith
Commons Commissioner